

Gaithersburg Day Laborer Task Force Report

Mayor and City Council Work Session
April 10, 2006




Table of Contents

INTRODUCTION & OVERVIEW.....	2
SUMMARY OF AD HOC COMMITTEE PRESENTATION.....	3
RESEARCH REPORTS	
Option A “Build a Day Laborer Center”.....	11
Option B “Pass Ordinances”.....	26
Option C “Utilize Existing Employment Centers”.....	39
Option D “Build a Center and Enact/Enforce Ordinances”	43
Option E “Consequences of Doing Nothing”.....	44
PRACTICAL OPTIONS	
Option 1 “Limited Service Center”.....	49
Option 2 “Establishment of Day Labor Policy”.....	51
Option 3 “Full-Service Center”.....	53
LOCATION CRITERIA.....	57

Introduction

The Gaithersburg Day Laborer Task Force was formed by the Mayor and City Council on December 19, 2005 to provide recommendations to the Mayor and City Council in regard to the day laborer issue in accordance with the following charges:

Charge #1

Review the information collected by the Ad Hoc Committee as a starting point to identifying the issues related to this topic.

Charge #2

Research initiatives undertaken by other governments and/or community groups relating to day laborer issues. Specifically, evaluate the operations and effectiveness of the existing day laborer centers in Wheaton, Silver Spring and other areas of the region.

Charge #3

Based on the information collected, compile a list of practical options to address the current situation in Gaithersburg. Prioritize the options, listing the pros and cons of each, and present them to the Mayor and Council.

Charge #4

Develop specific criteria relating to a location for a new day laborer center that would be funded and operated by Montgomery County.

Overview

The Task Force met weekly from January through March. During that 12-week period, task force members sought input from day laborers, staff of existing day labor centers, contractors and the community.

In response to Charge #1, all members of the Ad Hoc Committee (an earlier informal, non-City committee that examined the day laborer issue in terms of public safety, abatement of nuisance activity and humanitarian concerns) were invited to attend the January 10, 2006 Task Force meeting to discuss their efforts. The focus of the meeting was on perceptions, outcomes and important recommendations that would aid the task force in addressing their charges. The Ad Hoc Committee's presentation is detailed in the Charge #1 Report.

In addressing Charge #2, four options (A,B,C,E) were identified for further research. Comprehensive research reports were developed for each option. Based on the information contained in those research reports, three options (a limited service center, a day labor policy, and a full-service center) were identified and further developed for inclusion in the Practical Options Report.

Charge #1 Report:
Summary of the
Ad Hoc Committee's Presentation

Charge #1: Summary of the Ad Hoc Committee Presentation Tuesday, January 10, 2006, 7:30 p.m.

Ad Hoc Committee Activity Summary

The Ad Hoc Committee summarized its findings in the following statements:

- The current situation with day laborers gathering is undesirable, poses a hazard to our residents, and cannot be resolved through traditional police powers. Local governments do not have the authority to address immigration issues.
- A new day laborer center would be the third such center in Montgomery County. Montgomery County would incur the lease and operational facility costs of leasing the facility. However, the Mayor and City Council might consider future program enhancements.
- The City would work with the County to ensure that the day laborer facility was operated in an appropriate and safe manner. The facility would be supervised by professional staff and consumption of alcohol would be strictly prohibited. “No Trespassing” signs would be posted and in effect when the facility was closed (this would be strictly enforced). City/ County Police would carefully monitor the site and the adjoining properties as necessary.
- From a humanitarian point of view, providing day laborers with shelter from the elements and assisting with basic human needs is necessary.

Ad Hoc Committee Presentation

Ad Hoc Committee members/member representatives present were: Fred Felton (Assistant City Manager), Joe Heiney-Gonzalez (Office of Community Outreach, Offices of the County Executive), Rev. Rocha (Camino de Vida United Methodist Church), Sgt. Scarff (City of Gaithersburg Police Department), Kim Propeak (Director of Community Organizing and Political Action for CASA de Maryland) and Diane Tillery (Montgomery County Police, Sixth District, Community Services Officer).

Fred Felton provided background on the day laborer issue and events leading up to the Ad Hoc Committee formation:

- For several years immigration counseling, employment assistance and healthcare services were available at the Spanish Catholic Center facility in a shopping center located at 117 North Frederick Avenue. During this period, day laborers—available for businesses that needed day labor—began congregating in the shopping center parking lot. The Spanish Catholic Center permitted day laborers facility access for restroom usage. The Spanish Catholic Center vacated the premises in July of 2003. The day laborer population, which increased in numbers, continued to gather at this location. Over time the day laborer gathering spot gradually shifted to open space on the adjoining property owned by Grace United Methodist Church.

- ▶ During late 2004, ongoing complaints from nearby business owners, including Grace United Methodist Church, were received by the City and County police. The complaints concerned nuisance activity such as littering, public urination, public imbibing, and directing catcalls at pedestrians. Per the request of community activists and property owners, an Ad Hoc Work Group was created and began regular meetings. Ad Hoc Committee representatives included: Joe Heiney-Gonzalez of the Montgomery County Executive's Office; Montgomery County Council Representative Mike Knapp; Catherine Matthews of the Upcounty Regional Services Center; Mayor Katz and Assistant City Manager Fred Felton of the City of Gaithersburg; Diane Tillery of the Montgomery County Police; Sgt. Scott Scarff of the Gaithersburg City Police; Rev. Louis Piel of Grace United Methodist Church; Rev. Simon Bautista of The Episcopal Church of the Ascension; Gustavo Torres, Executive Director of CASA of Maryland; Rev. David Rocha, of Camino de Vida United Methodist Church; and a number of community advocates and day laborers.
- ▶ Discussions focused on public safety, abating the nuisance activity, and humanitarian concerns for the well being of the day laborers. The Gaithersburg Gazette published six articles on the Ad Hoc Committee process between February and August.
- ▶ It became apparent that this was a very complicated issue. Day laborer supply and day laborer demand by local businesses ensured continuation of congregation amidst the presence of local enforcement authority. An assumption was that many day laborers were undocumented immigrants; however, no evidence was obtained and there was no Federal government action through immigration law enforcement.
- ▶ The Ad Hoc Committee reviewed management of a similar situation in Silver Spring, Maryland. About ten years ago, in response to that situation, Silver Spring contracted with CASA of Maryland to operate a facility. In addition to providing supervision, CASA issued day laborer identification cards, offered English classes, and offered mediation for day laborer/business employment related disputes. The Ad Hoc Committee noted Montgomery County's additional commitment in December 2004 to open a second day laborer center in the Wheaton area—CASA was selected to operate this facility.
- ▶ As an interim measure during the Ad Hoc Committee meetings, Rev. Lou Piel (Grace United Methodist Church) permitted day laborers Church access daily during the winter months from 6a.m. to 10a.m. for restroom access and protection from the elements. A bi-lingual individual was hired to supervise from 6a.m. to 10a.m. This arrangement improved the situation at the church and shopping center.
- ▶ The Ad Hoc Committee agreed that the only viable long-term solution would be to a open day laborer center in the vicinity of the location where the day laborers were currently gathering. Ultimately, Montgomery County Council approved a budget that included funds for FY'06 to lease a facility and pay CASA for operational facility management.

- ▶ A Site Selection Team considered alternative sites to the current Gaithersburg day laborer congregation site. Other sites considered included the former Craven Tire and Auto building and 615 South Frederick Avenue (a small strip shopping center off Route 355). There was concern that it might be difficult to modify the workers predilection for the existing gathering space and efforts focused on finding a site nearest the existing site. The 17 North Frederick Avenue site was advocated due to its proximity to the current gathering place, its vacant nature, and serious concerns about the suitability of the other sites.
- ▶ The Ad Hoc Committee met until November 2005 when the City of Gaithersburg formalized a task force in response to public umbrage about the Ad Hoc Committee's process and recommendations. The Ad Hoc Committee acknowledge a mistake had been made in regard to not getting public input on the proposed center.

Joe Heiney-Gonzalez (Office of Community Outreach, Offices of the County Executive) reported that he submitted an overview of the Ad Hoc Committee and meeting notes from October 2004 through January 2005 to the DLTF via Cindy Hines. These notes are included in the Attachments section of this report. Mr. Heiney-Gonzalez stated that the role of Montgomery County was to partner with the City of Gaithersburg and Grace United Methodist Church to aid members of the community in need of assistance. Efforts were focused on addressing the needs of county residents, mainly those from Gaithersburg that lived within a 15-minute walk of the existing gathering area. Mr. Heiney-Gonzalez further noted that Rev. Piel (Senior Pastor Grace United Methodist Church), Rev. Rocha (Camino de Vida United Methodist Church), and Catherine Matthews (Regional Director, Upcounty Regional Service Center) were part of the Ad Hoc Work Group. Mr. Heiney-Gonzalez noted that the day laborers had asked for assistance and had acknowledged their willingness to self-police the group.

Mr. Heiney-Gonzalez expanded on Mr. Felton's comments. A two-fold approach was developed to identify both an interim plan and a long-term plan to address the employment issue. Montgomery County viewed the day laborer situation as a labor force issue—the day laborers were willing to work and many reported having families living in Gaithersburg and children enrolled in local schools. Furthermore, from the County's point of view, the proposed Day Laborer Employment Center was part of an overall plan based on a continuum that supported a natural progression from day laborer to skilled laborer and eventually inclusion into the regular work force.

Mr. Felton and other Ad Hoc Committee members discussed DLTF questions and comments:

Had interviews with day laborers been conducted to determine the areas from which they came?

It was stated that an informal survey had been taken one morning. However, it was noted that only 25 workers were gathered at the time of the survey and of them only 12 individuals responded. Based on that limited response, it was determined that the majority came from the North Summit Avenue area with some individuals coming from West Deer Park and Londonderry. In regard to the Gaithersburg site serving workers

from Damascus and Germantown, it was noted that the Ad Hoc Committee was very focused on dealing with the existing Gaithersburg group and that “walkability” was a primary goal. Furthermore, it was stated that Casa de Maryland efforts were to be focused on the local group.

What comments could be shared regarding day laborer ethnicity?

In regard to the ethnicity of the workers, it was determined that the group was predominately Hispanic with a few African-American workers. Mr. Felton offered to check demographic information from the Census in regard to a request to determine where in Maryland larger populations of Hispanic people resided.

How did CASA de Maryland acquire such a pivotal role?

After the third meeting of the Ad Hoc Work Group, during which Pastor Piel agreed to co-chair the committee alongside one of the day laborers, CASA de Maryland was asked to submit a proposal for the employment center concept.

In regard to the proposal, were any competing firms invited to participate?

No other formal competing groups were at the table and Casa de Maryland was the only one in Montgomery County offering the required services.

Did any other suggestions/recommendations come out of the Ad Hoc Work Group meetings?

Ad Hoc Work Group members stressed that the concept of an employment center should have other components capable of addressing social service and educational issues. Additionally, there should be some provision for partnering with the County in regard to emergency services, particularly in regard to housing and crisis services. Prior to its closing, the Spanish Catholic Center had served as an employment center, offering a range of nonprofit services including computer training and job/skills training. They also stated that Gaithersburg was not alone and that the day laborer issue was being grappled with nationwide.

Given the full-service nature of the two current day laborer centers, which provide health referrals, educational opportunities and job referrals, what has been the impact on nearby businesses and on each area’s overall crime rate?

Mr. Heiney-Gonzalez noted that it was difficult to respond in regard to Silver Spring as that center was established 12 – 15 years ago. However, in regard to the more recent Wheaton site, it was noted that business owners indicated that they felt safer. Mr. Heiney-Gonzalez acknowledged the responsibility that the day laborers assumed in offering to police themselves and, although he did not have the actual crime statistics, he noted that there had been a reduction in the number of complaints to police.

How many workers usually gathered?

Rev. Rocha stated that on 01-09-06 about 55 people had gathered between 6:30 a.m. and 7:15 a.m. Rev. Rocha indicated of those 55, 49 lived in the City of Gaithersburg, two lived in Germantown, one lived in a trailer park and three lived in Montgomery Village.

Sgt. Scott Scarff noted that the number of individuals gathered was fluid and subject to change day to day and season to season. The actual process for getting work involved workers vying for position as they converged on vehicles driven by potential employers. It was noted that supervision, associated with the temporary use of the Grace United Methodist Church, was being handled by the church.

Had a survey had been conducted to determine who hires the workers gathered each morning?

The Ad Hoc Committee did not conduct such a survey.

Can you comment on the effectiveness of enforcing cutoff times?

It was noted that while police are successful in clearing the Grace site, workers could congregate elsewhere. Sgt. Scarff agreed, noting that currently police act with full support of the private property owners in moving people off the property at the agreed upon time. However, if individuals move to a public location and are not involved in illegal activities or nuisance behavior there is little that can be done. Furthermore, he noted that the task force needed to understand that there was more going on than just people looking for employment and that an unsupervised environment tends to draw other individuals, possibly homeless or intoxicated individuals that view the gathering as an opportunity to socialize. He encouraged the group to look at the bigger picture when studying the issue. It was noted that the Episcopal Church was offered as a site for the center but was rejected primarily because of traffic issues. It was noted that the South Summit/355 intersection was extremely busy. Additionally, that location would require the siting of a trailer

Can you comment on police experience with loitering and inappropriate behavior?

Sgt. Scarff stated that the police were not seeing the crime they had in the past, which he credited to supervision and a continuing effort on the part of the police to educate individuals on inappropriate behavior. He noted that he was not seeing arrests in regard to loitering and urinating in public. However, he stated that he was still seeing a lack of order and that numerous individuals, huddled in small groups, tended to be viewed as intimidating by passersby. He also indicated that things became very competitive when potential employers pulled up.

Can you comment on police experience with enforcement of day laborer gathering activity and its effect on police support for other parts of the City?

Sgt. Scarff noted that it had not diminished the department's level of service. Conversely, he stated that interacting with the day laborers had actually helped the police, particularly in regard to information provided by one day laborer that led to the arrest of an individual suspected of a homicide. Sgt. Scarff noted that the only difficulty he might have was in regard to being able to clear the site at precisely 9 a.m. if he was working another call at that time.

What was the role of CASA de Maryland in the Ad Hoc Work Group meetings?

Kim Propeak stated that Executive Director Gustavo Torres had participated in the Ad Hoc Committee meetings and, having extensive experience in providing assistance, worked closely with the City and the clergy. Ms. Propeak indicated that there were similar employment center models in other areas and that she would forward that information to Cindy Hines for distribution to the task force.

Research Reports

Option A Research Report:
“Day Labor Centers in our Region and Elsewhere”

Prepared by Team Members Cathy Drzyzgula, Linda Hammond-Deckard, Rich Koch,
Lucia Lima and Dan Muller

Per Charge #2, the Task Force researched initiatives and evaluated the operation and effectiveness of existing day labor centers, as these centers are a course of action often recommended to communities.

The task force developed a list of information to collect related to the centers which included:

- Physical characteristics such as size of building/facility, location, access, adjacent uses, and zoning
- Management including how wages were set, job matching methods, and worker participation
- Funding
- Operational characteristics such as services provided, hours open, and length of service
- Outcome characteristics such as employment rate for workers, effect on worker abuse by employers, and extent to which congregation by workers outside center is reduced

The Task Force scheduled group visits to the Silver Spring CASA Center for Employment and Leadership, the Wheaton Workers Center (also operated by CASA of Maryland) and the Herndon Official Workers Center in Virginia, operated by Reston Interfaith and Project Hope and Harmony. Individual Task Force members also visited some of the centers on their own. A standard questionnaire was developed and used for reporting visit observations. Task Force members also researched centers outside the area using the internet and by telephone interviews with the centers, and/or law enforcement officials in those areas.

The information collected has been summarized in five sections. The first covers the physical characteristics and management of the centers, the second the services provided, the third funding of the centers, the fourth the economic fundamentals of day labor centers. The last section summarizes the information collected on centers outside our region.

Physical Characteristics and Management of Area Centers

Silver Spring

The Silver Spring Center is located at 734 E. University Boulevard in what was once a private dwelling. The site, owned by Montgomery County is a on a 1.3 acre fenced lot. The center has been operational at this site since 1993; it began in a trailer in a nearby park. The property has a park on the one side, a multistory, multi-building apartment complex on the other side and a school to the rear. The center is set back from the street with a circular drive in front, and the size of the property provides some buffer for the adjoining properties.

The original residential dwelling was being used as office space, and there was a meeting room approximately 15' x 15' in the basement. A restroom, for the use of the day laborers, was also in the basement adjacent to the meeting room. There was a separate building in which the day laborers congregated in two adjoining rooms. One room was about 15' x 40' and the other was about 15' x 30'. The combined rooms would hold approximately 60 people. There were chairs and some tables for the day laborers; however, lighting was poor, and the general ambience was Spartan. The Center is open for business from 6:00 am until 2:00 pm Monday through Saturday. The Center has a paid employment director who supervises five paid employees.

Access to the site for the contractors was adequate with access from both directions. There was limited parking for contractor vehicles on the center grounds. It appeared that a good number of the workers drove to the center as the parking lot was close to full. Workers were reported to come from the immediate area as well as more distant locations like Hyattsville and Bowie.

The day laborers were given an identification cards upon initial registration. They reported that the cards helped them get library cards and open bank accounts at some banks. They were classified according to labor skills. When they report to the Center each day, they were assigned a number by a lottery that determined the order in which they were called when contractors arrived. Workers with high numbers knew they would have a lesser chance at getting a job that day. Specific skills were also considered when doling out job assignments.

Contractors registered and filled out a form requesting specific laborer skills when they arrived to pick up laborers. They could request a laborer by name. By collecting contractor information, the center was able to follow up after work was completed, both to check if the workers performed satisfactorily, and to demand payment if workers were not paid. If workers don't receive the requested payment, they have access to legal services. The workers have agreed to a minimum wage of \$10 per hour. The center has a scale with higher rates for skilled workers such as painters or drywallers.

Silver Spring does not have a Workers Committee to promote worker participation in management decision making at this time, but they do have a program called Leadership development training that has the purpose of finding new positive leaders and then CASA can call for elections.

Wheaton

The Wheaton Worker's Center is located at the intersection of Viers Mill Road and University Boulevard. The Center is located in a strip of stores on the first floor of a high rise apartment building. It opened in October 2005. It occupies two bays of retail space on the ground floor of a former hotel, now used as transitional housing. There is a car dealer on one side of the center, and a McDonalds behind it. The area is mostly commercial and industrial, although there are residential areas southwest and northeast of the center.

The Center had an assembly room for the day laborers that was estimated to be 25' x 40', a conference room that was about 12' x 16', two private meeting rooms for medical and legal conferences, restrooms, and a galley type kitchen. The assembly room could handle approximately 50 people. There were chairs and a few tables for the day laborers in the assembly room which also had four computer stations for the use of the day laborers. The general ambience of the room was light and pleasant. The Center is open for business from 6:00 am until 2:00 pm Monday through Saturday. The day laborers volunteered to maintain the cleanliness of the Center and in return are given priority for job assignments. The Center is located within a reasonable walking distance for many laborers. Others use public transportation and some come from more than 3 miles away. The Center has a Director plus two paid employees.

Access to the site for the contractors was good for those traveling east on University Boulevard or south on Viers Mill Road. Access in the other directions was poor because both roads were divided. Similar access limitations occurred for contractors leaving the site to go West on University Boulevard or North on Viers Mill Road. Parking for the contractors was adequate in the strip mall during business hours. Workers were asked to park across the street at Wheaton plaza to keep spaces available in the parking lot.

The day laborers were given an identification card upon initial registration. They were classified according to labor skills. When they reported to the Center each day, they signed up on the list, and jobs were given first-come, first-serve as long as the worker could do the job. Separate lists were made for skilled and unskilled workers. Specific skills were also considered when doling out job assignments. The wages were set as in Silver Spring.

Five day laborers were chosen by their peers to serve on a "committee" which had general interaction with the center's managers. They would hear day laborers' concerns, discipline day laborers that were not following the behavior rules of the center, and generally oversaw the operation from the day laborers' viewpoint. One of the main purposes of the committee was to communicate information more effectively from CASA to the workers. The workers participated in marketing by being in charge of the hiring list and they helped clean the center. They elected officers in October when the center opened but needed to have a new election due to worker turnover.

Herndon

The Herndon Center is located at 1481 Sterling Road. The center is located in a parking lot of a former police station and recycling facility. The boundary between the Town of Herndon and Loudoun County runs through the building. Loudoun County has denied access to their part of the site, so access has been moved to the Herndon side of the property. The center opened in December of 2005, after a long struggle to find a solution acceptable to the community. The center is within a large public works property and fits well into the site. The property is bordered by residential areas on the Herndon side and commercial industrial areas on the Loudoun county side. There was a buffer of approximately 300' between the center and the rear of the nearest residence, with a fence at the edge of the County property and a wetlands area between the fence and the

residential property. The neighborhood appeared to be upper middle class residences and there was some natural landscaping in the wetlands area.

The facilities for the day laborers waiting to be picked up by contractors consisted of a temporary tent shelter that was about 15' x 15'. There was a folding table in the shelter for hot drinks and some pastry-type food. There was room for no more than 20 “friendly” people under the shelter. The remaining men wait outdoors. There was a 12' wide trailer on site with two offices for the paid employees and a estimated 12' x 30' room that was used as a classroom for English classes. An application has been submitted to build a permanently roofed structure to replace the tent shelter. The structure would be larger than the existing shelter and would have screened sides to keep operations visible to the workers. The project was expected to cost \$30,000, and a search for funding or pro-bono construction was in progress. The center was within walking distance for the laborers and a map was displayed showing recommended acceptable walking routes to the center from where most of the day laborers lived. The center has a Director and two paid employees.

Volunteers were in evidence outside the center where the day laborers congregated to provide coffee and pastries. They knew the day laborers by name and had a friendly attitude. The English classes were also taught by volunteers. The day laborers kept the outside grounds clean.

Access to the site was very good for contractors. There was ample parking and maneuvering space for their vehicles.

The day laborers were given a laminated registration cards. They participated in management of the center in that they had an elected governing team who oversaw the operation of the center, and who jointly with the paid managers, developed rules of conduct. Selection of day laborers when a contractor arrived and registered was by a lottery system. Each worker received a blue lottery ticket, which was placed in a large jar. The worker retained the matching ticket half and wrote his name on it. Workers who passed a practical English test also got a red ticket and had an extra chance at jobs. Tickets were drawn as needed to maintain a “pending” supply of one red and three blue numbers. These workers knew that they would be the first to get work, and they were ready when an employer came. The other workers all had equal chances at the remaining opportunities as long as they remained on site. If they left for the day, they surrendered their ticket and the matching one was removed from the drawing. Employers could request “red ticket” English speaking workers or other special skills. If an employer had an unusual request, a special drawing was held. For example one employer only wanted workers wearing boots because of the jobsite conditions, so all the workers with boots put their tickets in for a special drawing. The lottery system was also used to distribute donated clothing and work supplies, such as gloves. The effect of this was that each worker had many chances to “win” something, even if they didn’t get a job that day. The workers whose numbers were “pending” at the end of the day had the first chance the next morning.

Contractors registered and filled out forms requesting specific laborer skills when they arrived to pick up laborers. They could also ask for a specific laborer by name. The director reported few problems with employers who didn't pay. If the worker reported this happening, the center would call the employer once. If that didn't resolve the problem, the worker was referred to the Virginia Justice Center for further assistance. The majority of work in the winter at this center was for help with moving and yard work. Both contractors and individuals hired workers. Weekends were busiest because of the homeowner hiring. The center is open Monday to Friday 6 a.m. to 11 a.m., Saturday and Sunday 7 a.m. to noon.

Following our visit, the Worker Governance Team met and asked the director to convey to the Task Force that the success of the project was in large part due to the workers' participation. They wanted to underscore the importance of getting the workers involved to the hilt, if possible. Their participation/buy-in, like other stakeholders in the community, was critical. In addition to the Worker Governance Team this center was also supervised by a Community Advisory Board (a diverse group of residents, business representatives, law enforcement officers, government liaison members, day laborers and other affected stakeholders).

Provision of Services at Day Labor Centers in Our Region

In addition to providing employment services, all of the centers addressed the educational and social needs of the workers and, to some extent, the wider community of day laborer families.

All of the centers tried to provide ESOL classes to workers at the center. We observed a class during our visit to Herndon. No classes were currently available in Silver Spring although they have had them in the past and plan to have them again. Classes were offered at the Wheaton center in the evening. CASA also offered intermediate ESOL classes at Eastern Middle School. The classes in Herndon were free, taught by volunteers, and available by raffle to the workers present at the time of the class. The Herndon center also recognized the benefit of speaking English by giving those with adequate language skills an extra chance in the job lottery. According to the posted schedule, classes were available approximately 50 percent of the time that the center was open. CASA charged tuition for their classes, around \$100 a semester which included the textbook (students could attend on "scholarship" if spaces are available). The classes followed a standard curriculum and students were expected to attend each session to follow the skill development progression. Charging tuition was intended to increase the students' commitment to the class as regular attendance had been a problem in the past. One worker in Wheaton had been in the US for ten years and learned English through this type of class. Other workers in Silver Spring had never taken a single class, although they came to the center every day.

Most day laborers have relatively low skill levels, although some hold professional degrees and were forced to leave their home countries due to civil strife. They were unfamiliar with American traditions, social customs, and economic practices when they

first arrived here. Many were not familiar with power tools and machines, or jobsite safety practices. Centers also tried to address needs related to these issues.

The conditional use permit for the Herndon center forbids the provision of services other than job matching and ESOL classes on site. The workers' needs were addressed through the use of a "community organizer" who worked in the afternoons (most often at the nearby social service agencies) connecting the workers with services. The woman in this position began working as a coordinator at the informal pick up sites in the area of the 7-Eleven two years before the center opened. She developed a trusting relationship with the workers and did what she could to help them and solve community problems before the center opened. She continued in this role after the center opened, helping to run the operations in the first part of the day and continuing to assist workers off site in the afternoons. Because this part of her function occurred outside the time of our visit, we did not observe any of this. But, it appeared that the services offered were similar to those available in Maryland. A community service center was within a mile of the worker's center.

The Herndon center also addressed the transportation needs of workers through a community bicycle donation program. Donated bikes were made serviceable by volunteers and then offered to workers in a near-daily raffle. The winning worker paid a \$10 deposit and was permitted to use the bicycle as long as he (she) continued to come to the center. If the worker obtained long-term employment and returned the bicycle in working condition, the deposit was refunded.

CASA of Maryland provided health training, health screening and HIV testing, and financial skills classes at the Wheaton center. The health services were available on a weekly basis and the financial skills classes had sessions that lasted a number of weeks and were offered at least several times a year. The financial skills classes taught workers how use a bank account and handle credit, which money wiring services were safe to use, and provided information about taxes. The Wheaton Police Station Commander was teaching a workshop to the workers about what the police expected from them as far as behavior. It also taught them about laws and how to interact with the community. Legal services were available once a week. Workers did not pay for legal services using money. Instead, they used what they called the "time-dollar system." They were able to pay for their legal services by completing several hours of a combination of activities including taking English classes, working for the center in any capacity, including in advocacy campaigns, and/or providing services for their church. The number of hours put into this system depended on how much money they needed to receive from an employer.

The larger property at the Silver Spring CASA center made possible the provision of more services. A Montgomery County Mobile Medical clinic offered its services at the center regularly. Additionally, basic skills training classes were scheduled from time to time in which workers learned how to use a hammer, tape measure, etc. The classes were for workers beginning to learn about construction, though it was emphasized that it did not lead to certification. The next session, in Silver Spring, was scheduled to begin February 22. This center also facilitated a women's cleaning co-op, where female

workers combined their services and worked to develop job opportunities. The workers received 80 percent of the amount paid by employers. The other 20 percent went to the co-op itself for expenses.

The Silver Spring center also housed most of CASA's legal services program. The 2004-2005 CASA Annual Report described a staff of 11.5 FTE attorneys for all Maryland operations. The Wheaton center did not provide help with immigration issues, but it did address worker abuse by employers, improper job terminations, housing issues, the process for obtaining a driver's license and other community needs. Workers at the Silver Spring center stated that they preferred finding work at the center rather than at the 7-Eleven because the employers knew that CASA helped to ensure proper payment. CASA recovered \$250,000 in 2005 for the day laborers.

Despite the desire to provide all these educational and social service opportunities, the main thing the workers did at all of the centers was to wait for work. In Silver Spring the workers waited in an outbuilding sitting on chairs, talking, and perhaps eating. In Herndon they waited under a cloth canopy, unless they were called in for English classes. In Wheaton the men watched a flat panel TV, browsed the internet on computers and talked. (The internet access was clearly unrestricted.) The Wheaton ESOL classes were held in the evening because the workers did not want classes to take them away from the opportunity of getting a job. It seemed that the Herndon center did more to encourage the workers to learn English, and their greater involvement in self-management presented opportunities for self improvement and the ability to make a difference in their own lives. The permit condition which prevented the Herndon center from providing social services at the center did not keep the workers from receiving services. It was also true that if services were primarily available at employment centers, workers who obtained long-term employment would no longer have access to these services. Furthermore, women who did not visit the centers (we didn't see any women in Wheaton or Herndon) couldn't benefit from the centers' services.

The final service that the centers provided to the community was organizing the workers to use the center. Using the center helped the workers by lowering the extent of employer abuse, providing connections to obtain social services and providing a protected place to wait for work. If workers used the center, the wider community could benefit by a reduction in congregation on private property, reduced friction between workers and those passing by, and a reduction in the petty crime attracted by the perception that an area is unsupervised or presents an opportunity for criminal activity. If workers do not use the center neither they nor the community benefit from the center.

The ability of the centers to obtain participation by all of the day laborers was critical to their success, and was not uniformly observed on the task force visits. Herndon partnered their center with an anti-solicitation ordinance and zoning regulation giving property owners a duty to prevent congregation of workers. This seemed to be effective. The Task Force visited a 7-Eleven, which had been the main gathering site before the center opened. The 7-Eleven still employs a private security guard who knows many of the customers of the center, and encourages non-customers to move off the property. No

people were observed hanging around on the property or in the general vicinity. Workers and employers were also prohibited by ordinance from engaging in employment transaction between a pedestrian and an occupant of a vehicle. Reston Interfaith took counts of workers waiting at casual sites in the month before the center opened and again at the center and the numbers were nearly identical.

The Silver Spring center appeared to be particularly unsuccessful in convincing all workers to seek work at the center. On the day of the task force visit at least 30 men were congregating at the 7-Eleven less than a mile from the center. The employment coordinator for CASA indicated she was aware of this problem and that CASA encouraged these men to use the center, but they could not require them to do so.

In Wheaton, no men were observed waiting at the Duron paint store across the street from the center. This site had been the main informal gathering spot before the center opened. There were large numbers of people in the Dunkin' Donuts, presumably customers, and all were seated facing the parking lot of the establishment.

The Silver Spring station of the Montgomery County Police was contacted to get their viewpoint on why workers gathered near one Montgomery County center and not the other. The general conclusion was that it is difficult to enforce trespassing ordinances at stores where the workers were also customers, partly because many of the workers were not trespassing and also because the store owners were reluctant to identify any people as trespassers. The Silver Spring police had agreements with some owners allowing the police to represent the owners in court to prosecute charges, but few complaints were filed. The congregating groups had not caused crime concerns that would merit police intervention without complaints. However, there was a growing awareness of the image problem these groups presented, especially in regard to investment in the Silver Spring area. The officer also mentioned the low employment rate at the center as a reason why some workers chose to look for work on their own.

The Montgomery County Department of Housing and Community Affairs was preparing to hire a team to survey the workers and employers at informal sites to find out why they were not using the center. CASA could then adapt its program to address this issue. CASA will likely submit an application to do the survey.

Funding of Day Labor Centers

In the Washington area day labor centers rely heavily on government support for provision of sites and operational costs. The Silver Spring center and the Herndon center are on municipally owned properties. The Wheaton center space is leased; with Montgomery County paying \$64,000 in rent for the first year and slightly higher amounts for the next 4 years. The fair rent value of the Silver Spring center is estimated at \$140,000, and the town of Herndon receives \$1200 annually for use of their land (parking lot area). All three centers are operated by nonprofits.

CASA of Maryland is a nonprofit with a 2005 budget of \$3.6 million. It has offices in Silver Spring, Wheaton, Germantown and Baltimore. CASA operates three day labor centers, and it has plans to open a new center in Baltimore and a center in Langley Park to replace the one in Takoma Park. The Montgomery County contract for operation of the Wheaton center is for \$125,000 per year. The operating costs for the Silver Spring center are hard to separate from the broader CASA activities at that site. In 2003/2004 CASA received about \$700,000 in donations and \$1,100,000 in government contracts and fees.

The mission of CASA of Maryland, Inc., given on its website, is “to improve the quality of life, social and economic well being of the Latino community. CASA facilitates the self-development, organization, and mobilization of the Latino community to gain full participation in the larger society. Since 1985, CASA has evolved from focusing primarily on direct service provision to Central American refugees arriving in the metropolitan D.C. area to providing a wide range of educational, organizing, and advocacy activities designed to address the multiple conditions of poverty and disenfranchisement that control the lives of many Latino immigrants and refugees. CASA achieves its goals through programs in areas such as leadership, organizing, women's empowerment, tenant support, employment, legal services, health, education, social services, and immigration assistance.”

CASA is beginning work on a \$5,000,000 project in Prince Georges County to renovate the McCormick-Goodhart mansion and build a community center including a medical clinic, youth center, gym and church in conjunction with the Catholic Archdiocese of Washington. This project is supported by state grants funded by bond issues and private fundraising. A task force member requested a copy of the audited financial statements from CASA in order to better understand the funding of their programs. CASA took their name and address and indicated one would be mailed. The member later received another call to inform them that the documents were available in the Takoma Park office, but it was their policy not to mail this document.

Reston Interfaith and Project Hope and Harmony are the two nonprofit groups involved in the creation and operation of the Herndon center. Reston Interfaith was formed in 1970 as a coalition of religious groups. Its programs focus on affordable housing needs and homelessness, nurturing and healthy environments for families, and social issues, such as domestic violence and substance abuse in Northern Virginia. Its budget for 2004 was \$4 million. In addition to the workers' center it runs the Embry Rucker Community Shelter which provides a home and counseling to homeless persons and the Laurel Learning Center which provides child care and developmental screening services to low income families. Reston Interfaith also rehabilitates affordable housing units for sale to low income families. Project Hope and Harmony was founded in October 2004 as part of the process of organizing a workers' center. Reston Interfaith bid on a competitive RFP issued by Fairfax County in August 2005 and was awarded the \$175,000 contract in October 2005. At this time financial operations for the center are being handled by Reston Interfaith with a goal of self-sufficiency for Project Hope and Harmony in the future.

The Herndon workers center has an annual budget of \$280,000 per year. Support includes the \$175,000 contract from Fairfax County, a \$43,000 county redevelopment grant, a \$35,000 private foundation grant, \$35,000 from a private donor, and two additional private donations of \$10,000 each. Other Virginia charitable organizations contribute to the center by providing food for workers and volunteer labor. Reston Interfaith mailed two years of audited financial statements at the request of the Task Force.

Funding for day labor centers could be the issue that spoils the prospect of a center, as was the case in Woodbridge Virginia. Prince William County had a task force review options. They recommended the establishment of a center and recommended searching for private funding through a nonprofit. So far that funding has not been found. The extended controversy in Herndon received a lot of press coverage, but what wasn't highlighted in this coverage was the degree to which the rules established for the center addressed the issues that were of concern to all members of the community. The funding sources reflected contributions by private individuals and religious organizations as well as government sources. In some western cities, major chain home improvement centers were required to provide for a day labor center on their property when applying for a new store location.

Economic Fundamentals of Day Labor Centers

There is a widespread impression that a day labor center is synonymous with an employment center because hundreds of unemployed men and women rely on day labor centers to find work. However, it appears that it is hope that brings these unemployed men and women to the day labor center because logical proof and material evidence indicates the majority of these men and women will not find work at the day labor center. There are simply too few employers hiring these men and women.

Concerns about legal status may be the overriding reason that employers don't hire men and women from day labor centers. Forty-four percent of workers interviewed in the "Day Laboring in our Nation's Capitol Region" report listed lack of legal documents as a barrier to employment. The Immigration Reform and Control Act made all U.S. employers responsible to verify the employment eligibility and identity of all employees hired to work in the United States after November 6, 1986. To implement the law, employers were required to complete Employment Eligibility Verification forms (Form I-9) for all employees, including U.S. citizens. Every U.S. employer must have a Form I-9 in its files for each new employee except that Form I-9 need not be completed for those individuals:

- providing domestic services in a private household that are *sporadic, irregular, or intermittent*;
- providing services for the employer as an independent contractor (i.e. carry on independent business, contract to do a piece of work according to their own means and methods and are subject to control only as to results for whom the

employer **does not** set work hours or provide necessary tools to do the job, or whom the employer does not have authority to hire and fire).

But legal status may be just one of many concerns of employers. The task force visits to day labor centers made it clear that most workers did not speak English well and the majority were unskilled. Because getting a driver license requires legal documents, many day laborers have no vehicles to get them to and from work. One day laborer told the Task Force what the day laborers need most was vocational training. When Task Force members visited one day labor center the program director told a horrible story about a day laborer that was hired to cut grass and ended up putting his hand under the lawnmower while it was running. The day laborer had never used a lawnmower before and was unaware of the danger.

Certain employers do hire these men and women albeit the numbers are small. The table on the following page shows the hiring statistics provided to the Task Force members during their visits to the Silver Spring, Wheaton and Herndon day labor centers.

Hiring Rates

<u>Center location</u>	<u>Silver Spring</u>	<u>Wheaton</u>	<u>Herndon</u>
Numbers of laborers/day	75-150	50	95
Number of jobs/day	5-35	5	14
Hiring rate (W= Winter, S=Summer)	4% W 25% S	10%W	15%W

The program directors at all three day laborer centers suggested that the hiring rate should generally be higher during the warmer months when outside work like landscaping is available for the men. The Silver Spring site has been open for over 10 years. Despite the long experience, the hiring rate at this center was quite low. CASA-managed centers also work to find permanent jobs for workers and, according to their 2005 Annual Report, CASA has found employment for 1900 workers across Maryland in the last 15 years.

The Herndon Official Workers Center opened on December 14, 2005. For January 2006 the following results were reported by the management of the Herndon day labor center, Project Hope & Harmony.

“The Hiring Rate at the H.O.W. Center was 15% for the month of December. The Hiring Rate in the area of 7-Eleven prior to the Center’s opening was 20%. The 7-Eleven hiring rate likely includes many more pre-arranged pick-ups than occur at the H.O.W. Center; this would account for a 5% differential. Thus, the hiring rate at the H.O.W. Center is a favorable comparison for the opening month of a worker center. While most worker centers experience a slight decline in hires during their initial start-up phase, the H.O.W. Center’s first month witnessed near identical hiring rates to the informal site. We believe that a combination of factors (public education efforts, media attention, and high levels of public interest) have contributed to the Center’s successful beginning.”

While the first month of operations of the Herndon center was by no means a time period from which to draw permanent conclusions, the reported results does provide an opportunity to compare and measure the hiring rate before and after the opening of the center.

The Task Force was unable to find any logical proof or material evidence that a day labor center has the ability to find work or increases the amount of work that is available for the hundreds of men and women who rely on the center to find work on a daily basis.

Day Labor Centers in Other Areas

Internet research and, in several cases, telephone interviews were conducted in an attempt to assess day laborer issues and possible solutions in other parts of the country. These “out-of-area” sites included Glendale, Pasadena and Thousand Oaks, CA; Canton, GA, Phoenix, AZ and Seattle, WA. Another site had operated for several years in Roswell, GA, but had closed in the early 2000’s due to lack of funding.

Two of the sites surveyed in California offered the perspective of day laborer centers that, although were very different, resulted in nearly identical post-center issues and secondary solutions. The Day Laborer Center in the City of Glendale is the direct result of a 1997 Problem-Oriented Policing initiative. When faced with rising concerns and complaints regarding the day laborers in their city, the Glendale City Police Department researched the problems and potential solutions. The Police Department was and still is one of the key players in the management of the center.

The Glendale center has a building, some parking and a paved, semi-circular driveway that was built on railroad right-of-way property that is under a long-term lease agreement with the railroad. The center has an advisory board that includes citizens, law enforcement personnel, members of the business community and several day laborers. The center is actually operated by Catholic Charities and is funded, as least in part, through city funds. The building has restroom facilities, a meeting room and seating outside the building. The Center is directly across a 4-lane, major thoroughfare from a Home Depot store and is within close proximity to several major intersections and highways.

With the passing of years, since the Day Laborer Center was started, groups of non-Mexican day laborers have gradually moved away from the Center and within the past several years, began waiting in the parking lot and on the sidewalk in front of the Home Depot. These actions have been countered by property owners using “trespass notices” to limit access to their property. The police department has made some arrests for trespassing, when issuing the notice and warning the day laborers was not sufficient to convince the day laborers to return to the center. Currently, the police department is still employing the trespass notices to regulate the day laborers’ activities on private property and police decoys test the day laborers compliance with the “No Blocking the Sidewalk”

ordinance. The center is still operational and continues to be funded, despite the fact that 100 percent of the laborers are not using the center.

In Thousand Oaks, CA the day laborers had been gathering in a residential neighborhood. With the knowledge that efforts to enact legislation in Los Angeles, Glendale, and several other cities have not been successful, Thousand Oaks by-passed the legislative route and established a very basic day laborer site. The site is located on city-owned green space between a busy thoroughfare and an entrance ramp to one of the Interstates. The site is a “long” block from the original day laborer gathering place.

The City funded the site development, which included some shade-type shelters; picnic tables; concrete pads for portable toilets and a semi-circular paved driveway for contractors to use when picking up laborers. The site is supervised by a single person and law enforcement personnel check the adjacent residential area and take action as allowed by existing laws to restrict day laborers from gathering in locations other than the designated city-established site.

Initially, the site seemed to provide relief for the residents, but over a period of time, some day laborers began gathering away from the official site. In addition, contractors initially used the driveway when coming to the site to hire day laborers. However, in recent months they have begun stopping at the curb, thereby restricting the free flow of traffic on the adjacent road. This issue has been addressed by the city and law enforcement personnel and the site supervisor. The curbing was clearly marked as a “No Stopping/No Standing” area and the site supervisor used traffic cones to further restrict stopping by the curb and to encourage the contractors to use the off-street driveway. This solution appears to be working, at least for now.

The City employee who provided this information made it clear that this solution has had a definite positive impact on the surrounding neighborhoods and has reduced the number of citizen complaints related to day laborer activities in the area.

Despite repeated calls to several other locales, only minimal information was available on these sites. In Canton, Georgia – the site was located in the lower level of a Protestant Church and was operated by a faith-based group called MUST Ministries. This site did collect contractor information. A day laborer site was also operated out of the basement of a church in Duluth, GA and the local police were involved to the extent that they issued monthly identification cards to the laborers. The sites in Phoenix and Seattle have physical facilities, but additional information was not available.

Acknowledgements

The Task Force would like to thank the following people and organizations for providing information on this complex subject to our members:

From CASA of Maryland: Silvia Navas, Tona Cravioto and Melissa Crow

From Reston Interfaith and Project Hope and Harmony: Bill Threlkeld, Jenny Albers, Kerrie Wilson and Amanda Andere

Montgomery County Police, Silver Spring Station

Montgomery County Government, Department of Housing and Community Affairs

Day laborers in Maryland and Virginia

Option B Research Report “Enforcement and Creation of Ordinances”

Prepared by Team Members Lauren Husted and Clark Day

INTRODUCTION & ACKNOWLEDGEMENTS

How can the day labor issue in Gaithersburg be addressed in terms of enforcement and creation of ordinances?

Thanks to Richard Kaufman, City Attorney for Herndon, VA, for graciously taking the time to frankly discuss Herndon's experiences with this difficult issue.

An attempt was made to contact Gaithersburg's City Attorney, Cathy Borten, however she declined to discuss this issue directly, referring questions back to Assistant City Manager Tony Tomasello. Mr. Tomasello, as usual, was most helpful in coordinating and participating in a conference call with the following parties: Greg Ossont, Planning and Code Director and Kevin Roman, Neighborhood Services Director. Their time was very much appreciated.

Thanks also to Officer Kevin Dizon of the Glendale, California Police Department for his invaluable insight into the successes and obstacles in enforcing Glendale's ordinances, and to Sgt. Scott Scarff of the Gaithersburg Police Department.

Initially, this presentation was intended to be broken into 2 components:

A) Precedents of ordinances which did and did not work with relation to the "Do Nothing" scenario, labeled by the Task Force members as "Option E" (i.e. how can we address the situation as it currently exists through the use of ordinances), and

B) Precedents of ordinances which did and did not work with regard to the formation of a day labor center.

This initial format evolved as a result of our findings. Over fifty articles and a multitude of web sites were utilized in creating this report. All were available to the Task Force and references have been cited as deemed necessary.

Below is the summary with respect to the findings in relation to the situation in Gaithersburg. Subsequent pages we will reference examples of ordinances from across the country which have been initiated to address a wide range of concerns with regard to the congregation of day laborers in various communities.

SUMMARY OF FINDINGS

A working model could not currently be found to suggest that ordinances have alleviated the problems in other communities faced with a similar day labor situation. Furthermore, ordinances could not be found that have not been (or have not been threatened to be) deemed unconstitutional (with the exception of the noted traffic ordinances). Most of the cities or municipalities that attempted to address this issue through ordinances have been involved in litigation from either day laborer proponents or opponents.

Herndon modeled its ordinances after Glendale, CA, which currently has cases in litigation. Herndon currently has one suit filed against it, with the potential for at least one more. Therefore, enforcement structure will play a significant role in the successful implementation of any recommendation made by the task force. It may be too premature to use Herndon as an example at this time, but until any claim against Herndon is decided by the court and a full legal analysis can be performed, their approach should not be dismissed. Similarly, as demonstrated in the following precedents, there are a multitude of lawsuits underway in response to ordinances that have been adopted or enforced across the country in an effort to address the day labor situation. Much may be learned by analyzing why those approaches failed, and subsequently determining how to avoid similar miscalculations in Gaithersburg. If the Task Force recommends a combination of specific zoning, anti-solicitation, anti-trespassing and traffic ordinances in conjunction with its ultimate recommendation, the city needs to be willing to approach each with an open mind and with the ultimate goal of solving the current issues our community faces. In order to accomplish this, Gaithersburg needs to be willing to continue to monitor other communities and periodically modify or rewrite these city ordinances in response to new developments.

With regard to Gaithersburg, the concern is that none of the ordinances cited below would prove to be either enough of an incentive for the day laborers to use a day labor facility or enough of a disincentive for the contractors to fear reprisal should they continue to solicit workers at the current locations on route 355. Each ordinance is only as powerful as the vigilance of local law departments to enforce them. Many jurisdictions cited existing ordinances on the books that would have addressed the solicitation or loitering issues, but noted a failure to enforce them by local officials.

An interview was conducted with Sgt. Scarff of the Gaithersburg Police Department in order to gain some insight into the current role law enforcement is playing in the situation as well as any limitations they may be facing in addressing this issue in the community. When given examples of methods employed by other communities with respect to the day labor issue, Sgt. Scarff noted that the Gaithersburg Police Department did not have the manpower to dedicate to any one specific location. He also noted that “There is always a lot of talk about supervision, but it’s not the police’s function to supervise where [the day laborers] stand or use the bathroom. The job of the police is to determine if laws are being broken and the peace is being kept.”

Sgt. Scarff also wanted to make clear that a number of community complaints were due to homeless individuals, as well as drunken homeless individuals, some of whom were also Latino, and should not be confused with the day laborers. As with many communities, Gaithersburg has individuals, both long term and relatively new to the area, who are homeless and do not appear to be making any effort to seek employment. Instances of public drunkenness, loitering and trespassing have been noted of these individuals.

One of the greatest problems that the Gaithersburg police face is that the parking lot adjacent to Grace Church is privately owned and the owner has given permission for the

day laborers to be there. The police can only attempt to prevent the day laborers from loitering on the church property itself. Unfortunately, due to the concurrent foot traffic into and out of the building for various church services, meetings and events, it is impossible for the officers to distinguish between those who have a valid reason for being there and those who do not unless church personnel assist officers in identifying individuals.

When asked what ordinances might make his job easier, Sgt. Scarff suggested an ordinance related to public drunkenness (similar to one which currently exists in Virginia). At present, Gaithersburg officers may only make arrests when an individual is causing a public disturbance by such acts as yelling or sleeping in a public pathway.

It was noted that Glendale created the COPPS (Community Oriented Policing and Problem Solving) unit to manage the situation through community officers who act as liaisons to the day laborers, local residents and businesses. Sgt. Scarff said that additional personnel and/or a separate unit could address the problem, but that he couldn't comment further as such a decision ultimately resided with the City's administration.

In many other jurisdictions, traffic violation laws have been heavily enforced (specifically in California) in response to the court rulings on anti-loitering/anti-solicitation laws. In these instances the day laborers have historically congregated on the side of busy highways. In some cases, traffic ordinances were initiated or enforced to address the safety concerns that result when contractors stop on these crowded thoroughfares to pick up day laborers. Logistically, there were no nearby parking lots or shoulders that were wide enough to accommodate large vehicles so that they would not impede highway traffic. This created both a public safety concern (when day laborers rush toward slowing vehicles on busy highways) as well as congestion concerns on California's already over-burdened freeways.

In other instances, traffic ordinances were enforced in response to residential or commercial complaints concerning contractors that pulled into private driveways or alleys in order to pick up day laborers. These actions resulted in safety issues for pedestrians and inaccessibility concerns on public sidewalks; while also creating a nuisance for nearby businesses.

While the congregation of day laborers could logistically be addressed in the above instances through the use of traffic ordinances (if consistently enforced,) traffic ordinances have not ameliorated the congregation of day laborers – it has merely relocated them. As a result, day laborers have often migrated to Home Depot and large nursery store parking lots. Consequently, as noted in the following precedent of ordinances section (see Las Vegas, Nevada,) the result was that local business owners were left to their own devices to resolve the matter; often with their own funds, resulting in lost revenue. The result has been an outcry from business owners at the state and local governments' failure to address this situation, thus forcing the burden (and the bill) onto local commercial districts. It appears that addressing this issue in the private sector is emerging as the latest trend. In California, for instance, legislation has been introduced

that would make the approval for the construction of any new Home Depot store conditional upon their agreement to finance the construction and/or operating costs of a day labor facility on their premises.

With respect to Gaithersburg, however, the current congregation site(s) of the parking lot adjacent to Grace Church and the church property itself, 7-Eleven, and Duron Paint all have parking that will accommodate cars and trucks that pull in off of route 355. Therefore, in the absence of data to suggest otherwise, it must be assumed that traffic ordinances would not work to discourage contractors from soliciting day laborers at the current site(s). However, traffic ordinances may be an effective secondary means of controlling traffic flow (thus addressing public safety concerns) at a designated day labor facility.

Another form of secondary ordinance enforcement that Glendale California utilized was an anti-trespassing ordinance. Business owners and residents were encouraged to sign a form which allowed police to act on their behalf in their absence (see attached form). This form was only valid for 90 days and the police needed to call to remind local businesses and residents prior to the expiration date. Glendale has streamlined this procedure by instituting an online registration and renewal process.

In order to enforce the trespassing violation, the officer must show proof that a previous warning has been issued to the suspect. This can be proven in one of the following manners:

- 1) *No Trespassing* signage could be displayed by the business or residence to be referred to as means of initial warning. However, Officer Kevin Dizon of the Glendale Police Department admitted that often signage is removed by day laborers so that the officer cannot use it as a reference. Additionally, many homeowners and business owners were reluctant to post signage on their property.

- 2) Documentation that the officer had previously warned the individual in question not to trespass on the property through verifying the identity of the individual. The suspect was always asked to show identification. The officer must match the suspect's identity to a previous warning citation in one of the following manners:

- A) Via Valid Proof of Identification Records: The police department would only accept valid state or government issued ID that required identity and address authentication.

- B) Via Picture Database: In the absence of valid ID, the police must take photographs of trespassing violators so that they can subsequently validate that previous warnings have occurred.

It is important to note that Glendale imposed harsh penalties for failure to produce valid identification. In the absence of proper documentation, suspects were arrested and taken

to jail. Trespassing penalties included sixty days in jail, a two to three year probation period, a \$1,000 maximum fine, or a combination of the three. Generally, suspects received a two to three year probationary period with the added condition that they were to remain 100 yards away from the property in question throughout the duration.

Glendale's City Attorney worked diligently in conjunction with the police department in order to impose harsh penalties that would deter future violations. Note that in the above instance violation posed a harsher penalty because the perpetrator was in defiance of a court order.

The diligence of record keeping on behalf of the community policing division was extensive and time consuming. Of the two hundred and sixty officers in the Glendale police department, eight were assigned to the community policing efforts, which handled a scope of issues including the enforcement of the day laborer ordinances.

In terms of relating the Glendale model to Gaithersburg, Officer Dizon offered the following comments:

- 1) Gaithersburg has the advantage of changing seasons to help discourage congregation. (Glendale's average temperature is 75 degrees year round). "Do not offer comforts that encourage loitering," he offered "Make it as uncomfortable for them to be there as possible."
- 2) Vigilant enforcement is absolutely necessary. The minute enforcement eases, the problems return. Officer Dizon described it as a "cat and mouse" game. Often the day laborers know where they are not supposed to go, but in the absence of visible enforcement, they repeatedly return to the same areas.
- 3) Persistent record-keeping is necessary in order to track those who repeatedly defy the ordinances. Officers must be willing to jail offenders each time an infringement occurs.

Officer Dizon also noted that the day laborer population in Glendale actually migrates each morning from Los Angeles (which borders Glendale on three sides). Day laborers who had been congregating at a Home Depot in Los Angeles have found the conditions at the Home Depot in Glendale much more conducive to securing work.

Regardless of the recommendation of the Day Labor Task Force to the City of Gaithersburg ("do nothing" or create a day labor center), we can not stress enough the necessity of police personnel (in either case) to consistently monitor, mediate and enforce (when necessary) necessary ordinances to maintain public order in our community. The arrangement that currently exists in Gaithersburg consists of patrolling by enforcement personnel who are unable to clearly identify trespassing or loitering infringements. All of the precedents cited (most notably Glendale, California) illustrate the need for police personnel who are charged with maintaining public order. If Gaithersburg chooses to adopt new ordinances to address either the situation as it currently exists, or the situation that would exist should a day labor center be built, it may face challenges in successfully implementing them based on the City's current law enforcement structure. Given the

uncertainty of ordinances in many other jurisdictions, Gaithersburg needs to approach this issue on several different fronts in order to find a successful resolution to the issues we face.

EXAMPLES OF ORDINANCES IN OTHER JURISDICTIONS

Beginning in the West Coast where anti-solicitation ordinances began as the standard:

Los Angeles, CA:

Los Angeles initiated an anti-solicitation ordinance which banned employers from soliciting work from pedestrians. In 2000, a federal judge declared the ordinance unconstitutional. (Litigations against Glendale and Redondo Beach, CA are currently underway for similar ordinances).

Pablo Alvarado, national coordinator for the LA based National Day Laborer Organizing Network commented: "None of those ordinances have been effective anywhere in the country...many have been ruled unconstitutional." In nearly every case, he adds, problems return because government and law-enforcement officials can't maintain the necessary aggressive enforcement. "Regardless of enforcement, workers have to feed their families and will do anything to continue to do that." "Las Vegas" he adds, "would do well to learn from the eight-year failure on Bonanza Road...invariably day laborers returned once enforcement subsided..." (Damon Hodge, "Experts: New Tactics Needed to Deal with Day Laborers," Las Vegas Weekly, April 7-13 edition was the source of the above citations)

Additionally, it's worth noting that the LA City Council is considering a proposal to require all large home improvement stores (i.e. Home Depot) to build day laborer hiring sites.

Redondo Beach, CA: (several miles south of LA International Airport)

Passed an ordinance barring day laborers from seeking work on its streets. However, the laborers continued to gather in defiance of the ordinance. When police cited or arrested 65 laborers, the laborers reacted by marching on City Hall. The Mexican American Legal Defense and Education Fund (MALDEF) got involved and sued the city. They won. In December of 2004 a US District Judge temporarily blocked enforcement of the ordinance and another US District Judge subsequently struck down a similar ordinance in Glendale, CA.

Glendale, CA:

Adopted an anti-solicitation ordinance prohibiting the solicitation of day workers from vehicles and day workers from soliciting work from persons in vehicles. This ordinance only works legally if there is an existing, usable site to refer the workers to go to. The purpose of the ordinance was to prevent alternate, informal sites from developing. The legislation does not work in the absence of an existing official site.

The Glendale Police Captain, Mark Distaso remarked of the issue: “Local government doesn’t exist to drive that kind of [day laborer] policy. This is something that needs to be dealt with on a federal level.”

(Carl F. Horowitz, Laborers, Loitering and Land use: Why Local Government Cannot handle Immigration,” The Immigration Dimension).

Santa Clarita, CA:

In January 2005 the city decided against opening a hiring center so that they could address the roadside solicitation problem by adopting an anti-solicitation ordinance. However, they tabled the issue while they await the outcome of the lawsuit filed against Glendale, CA (a federal court ruled Glendale’s ordinance prohibiting day laborers from seeking work on street corners unconstitutional.)

In response to public pressure, last month, the city attorney announced he will vigorously pursue enforcement of laws that prohibit hiring day laborers who are illegal immigrants. (Judy O’Rourke, “Crackdown on Illegal’s Set,” dailynews.com, January 26, 2006).

A report will look into whether the current city’s trespassing and anti-loitering ordinances can be more stringently enforced. Additionally, this report will detail how city contracts can be amended to require vendors to certify that they do not employ undocumented workers. Spot checks would be performed by the city’s code enforcement officers.

However, despite the existing ordinances, the Sheriff’s Dept. does not enforce the ordinance if the laborer is not suspected of committing a crime. Sgt. Bill Weiss explains that “If there’s a problem, a safety hazard, blocking traffic, graffiti, vandalism *that* is enforceable.” (Judy O’Rourke, “Crackdown on Illegal’s Set,” dailynews.com, January 26, 2006).

Burbank, CA:

The City Council voted last month (January 2006) to approve a contract with Catholic Charities to run a day labor center at a new Home Depot Store.

Las Vegas, NV:

Eight years ago, Las Vegas initiated an anti-solicitation ordinance that banned employers from soliciting work from pedestrians with fines of up to \$1,000, and/or 6 months in jail. (Subsequently, the county ruled it unconstitutional.) Workers reacted by moving to a local nursery parking lot. Local businesses had to take matters into their own hands and hire private security, at their own expense, to control customer safety concerns.

Mel Hadfield, office manager of LV state’s Casual Labor Office (which helps companies find temporary workers) offered the following advice in response to the subsequent anger of the local business owners: “Go after employers...As long as companies know they can get cheap labor off the street, there’ll be day laborers.” (Damon Hodge, “Experts: New Tactics Needed to Deal with Day Laborers,” Las Vegas Weekly, April 7-13 edition).

Austin City, TX:

In December of 2005, the City Council agreed to withdraw a proposed ordinance which would have banned day labor solicitation from sidewalks and other public spaces in the

city. Instead they decided to establish a community advisory committee to research other ways to accommodate the city's day laborers and the public simultaneously. This was the result of pressure from day laborers and religious leaders.

Austin, TX:

Implemented "Labor Solutions" on city-owned property to provide restrooms and shelter while laborers await work. There have been problems getting the workers to use the formal site rather than continuing to wait on the streets. Ordinances were not enforced to discourage public congregation. Rather than create a new anti-solicitation ordinance, it was the advice of city legal staff to increase enforcement of existing traffic related ordinances.

A number of other cities have attempted to resolve this issue through the adoption or enforcement of anti-loitering ordinances:

Chicago, IL:

In the early 1990's Chicago adopted loitering laws to control their increasing gang problems. It allowed police to break up gatherings if they perceived that anyone could be a gang member. "The US Supreme Court struck down the ordinance in 1999, ruling that it was too vague and allowed police to use an arbitrary standard of enforcement." (Terry Corcoran, "Loitering Laws Ineffective in Day-Laborer Issue," The Journal News, January 30, 2006).

Westchester County, New York:

Mount Kisco, NY:

In 1991 Mount Kisco tried to draft an anti-loitering law to address the sidewalk congestion they faced. They were told that such laws tend to be discriminatory. (Terry Corcoran, "Loitering Laws Ineffective in Day-Laborer Issue," The Journal News, January 30, 2006). In 2000 they opened Neighbors Link, an indoor hiring site for day laborers.

Brewster, NY:

In 1994 Brewster tabled a loitering ordinance because they worried it would be proven unconstitutional. Brewster, NY is currently still wary of instituting an anti-loitering law, because they are often deemed unconstitutional. Brewster recognized that you couldn't institute an anti-solicitation ordinance without having a legitimate location for the laborers to congregate because it went against the First Amendment right to "peaceably assemble."

"In NY the only types of anti-loitering laws that were upheld by the NY Court of Appeals were ones that prohibited loitering for the purpose of committing a crime, or laws that prohibited loitering in restricted public places." (Terry Corcoran, "Loitering Laws Ineffective in Day-Laborer Issue," The Journal News, January 30, 2006).

Linda Berns, the Executive Director of the Lower Hudson chapter of the NY Civil Liberties Union stated: "We...oppose no-loitering laws, because standing on a public

street is not loitering.” (Terry Corcoran, “Loitering Laws Ineffective in Day-Laborer Issue,” The Journal News, January 30, 2006).

Which brings us to the most recent (and local) example of ordinance adoption: Herndon, Virginia.

Herndon, VA:

Herndon enacted a zoning ordinance which was modeled after Glendale, CA. It created a temporary day worker assembly site (for conditional use). Not only is it too early to tell if this will be effective, but its success is entirely dependent upon both enforcement as well as legality. Herndon is currently being sued regarding this ordinance by Judicial Watch. Loudoun County also plans to challenge Herndon on the zoning ordinance and it is believed to have a strong case.

Herndon also initiated an anti-solicitation ordinance which works in conjunction with their zoning ordinance (which, as previously stated, may be ruled unlawful). It states that congregation/solicitation anywhere other than pre-approved site is prohibited. Fines range from \$250 for a civil violation to \$1,000 for a criminal violation. No fines have been issued yet (possibly due to lack of enforcement personnel). This ordinance only works in conjunction with the above zoning ordinance. Other cities have been sued and anti-solicitation ordinances have been ruled unlawful at either the county or federal level.

In addition to the fact that Herndon is currently being sued with regard to the zoning ordinance and could be sued in the future with regard to the anti-solicitation ordinance, there are several key points to bear in mind with regard to both of their newly adopted ordinances:

A) The US Supreme Court has held general anti-loitering ordinances as void, but suggested that an ordinance prohibiting loitering tied to another form of criminal activity may be legal. Therefore the loitering law would only be effective if directly tied to another form of criminal activity. (Refer to the previous Chicago anti-loitering ordinance that was targeted at suppressing gang-related activity). They also note that the argument can be made that day laborers are not loitering as defined by Fairfax County law or any other anti-loitering ordinance.

B) In terms of connecting the loitering to an illegal immigrant status as a means of connecting it to another form of criminal activity (which has been suggested), Herndon police are restricted from enforcing federal immigration laws (this principle also extends to the contractors who are hiring workers that lack proper employment documentation.)

Most likely based upon the resulting conflict from the approval of a day laborer facility in Herndon, several weeks ago a new law took effect in Virginia stating:

“No person who is not a United States Citizen or legally present in the United States shall receive state or local public assistance.”

This law will directly challenge the \$175,000 subsidy from Fairfax County to operate the Herndon center. It would be likely to presume that this law was in response to the public outcry at taxpayer funds being used to subsidize Herndon's day laborer facility.

Therefore, we have the pro-day-labor organizations suing on one side with regard to the anti-solicitation ordinances, and the anti-illegal-immigration organizations suing with regard to the zoning ordinances.

Meanwhile, Herndon's City Attorney was quite frank in stating that the location of the center has resulted in a firestorm from local residents who feel that the center is zoned to close to a residential neighborhood – something he readily admits is a problem, but that Herndon's sprawl developed in such a manner that there is no location in which there is a clearly defined separation between residential and commercial boundaries.

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DISCLAIMER

The Option B Sub-Committee makes the following Disclaimer:

In the Attachments section are examples of ordinances in Herndon, Virginia, Gaithersburg, Maryland and Montgomery County, Maryland.

The Herndon ordinances were submitted to this sub-committee by Herndon's City Attorney and are directly referenced in the report.

The Gaithersburg Ordinances were submitted to the sub-committee as potentially applicable ordinances by Tony Tomasello, Assistant City Manager for the City of Gaithersburg, in order to be utilized as a point of reference for the task force. The Montgomery County ordinances are examples of potentially applicable ordinances as determined by the author of this report. The Option B sub-committee did not have any assistance from Montgomery County in selecting the most appropriate ordinances. The Option B sub-committee did not have assistance in translating or determining current application or enforcement of these ordinances and therefore can only include these examples in the context that they may provide a useful point of reference.

Option B - Ordinances, Dissenting Report

We offer this dissent because: 1. The Option B Final Report (the Report) does not adequately recognize the ongoing efforts of the Gaithersburg Police in dealing with the day laborer issue and the improvement in the behavior of the day laborers that use the parking lot adjacent to Grace Church, and 2. The Report suggests that new ordinances and more stringent police presence are needed to address the day laborer issue.

The question that Task Force members addressed was: **How can city ordinances and or newly created ordinances and their enforcement help with the day laborer issue in Gaithersburg?**

The authors of this Dissenting Report agree with the Report when it states that the research collected shows that ordinances alone have not resolved the day laborer issues in the cities and municipalities researched, and that many ordinances, other than traffic-related, have been deemed unconstitutional or are under litigation.

The Report focuses largely on the experience of Herndon, VA which in turn modeled its ordinances after those of Glendale, CA, and suggests that ordinances currently in effect in Gaithersburg may have to be modified. We note that the Report emphasizes, by using Glendale, CA as an example, the use of stringent enforcement and harsh penalties. In contrast, the Report does not state that Gaithersburg has ordinances that are being enforced throughout the City and, in particular, at the informal day laborer site in the parking lot adjacent to Grace Church. An example of relying on existing ordinances is Austin, TX where the city legal staff advised only the use of increased enforcement.

The Gaithersburg Police force has an important role to play in handling the current day laborer issue in Gaithersburg. It is significant that the Report fails to acknowledge that the Gaithersburg Police have exhibited the skills needed to handle the day laborer issue, and fails to note how successful they have been in managing the informal day laborer site. The police visit the site everyday. They have communicated to the day laborers the expectations of the community regarding appropriate behavior. For example, the policewoman, Isabel Salgado, who speaks Spanish fluently, not only reminds the laborers of the 9:30 a.m. time limit but converses with them in a friendly and respectful tone. This has been crucial in promoting positive change. In fact, in the Summary of the Ad Hoc Committee Presentation, Sgt. Scarff of the Gaithersburg Police said that the police were not seeing the crime they had in the past, which he credited to the supervision and continuing effort on the part of the police to educate individuals on inappropriate behavior. More recently, Sgt. Scarff said that it has been seven months since the police have received a valid complaint about the behavior of the day laborers. All of the foregoing suggest, in our opinion, that the current police presence and enforcement of existing ordinances are sufficient, and we have no reason to doubt that this will not continue if a day laborer center were to be located elsewhere in Gaithersburg.

Finally, in a March 3 telephone interview Lt. Christopher Bonvillian of the Gaithersburg Police stated that there have been calls complaining of day laborers walking down the

street, but these types of complaints simply are not valid, and that the day laborers have not been seen violating laws. Lt. Bonvillian suggested that the day laborers are sometimes confused with homeless drunks that frequent the area. With regard to the need for an officer dedicated to monitoring the day laborers, he stated that the day laborers do not need a baby sitter in the form of a police officer.

Respectfully submitted:

Daniel R. Muller, Lucia da Costa Lima, John W. Thomas, and Gloria A. Aparicio

March 14, 2006

Option C Research Report
“Utilize Existing Employment Centers”

Employment Agencies

It is widely accepted that most day laborers that congregate on streets, public parking lots and in day labor centers are unable to find steady work and when they do the wages are on the low end of the wage scale. The Task Force wanted to determine if the existing employment agencies in the area provided a viable option for the day laborers to find work. When the day laborers were asked about this during a Task Force meeting, one day laborer indicated that the hourly wage rate paid for unskilled laborers by the employment agencies was only \$6 per hour. This compares to \$10 per hour that the day labor centers operated by CASA of Maryland in Wheaton and Silver Spring reference as their minimum hourly wage rate for unskilled laborers. (When the Task Force asked the CASA program director at the Wheaton center about CASA's policy on employers reducing the wages paid to the day laborers for payroll withholding taxes she indicated the \$10 per hour minimum hourly wage rate was the net hourly rate that the day laborers expected to be paid and there was to be no withholdings for payroll taxes from the net hourly rate.)

The Task Force visited three employment agencies in the area including Labor Ready, Manpower and Montgomery Works. All three employment agencies require proper documentation therefore these three employment agencies do not provide a viable option for the undocumented immigrants to find work.

Manpower mainly places temporary workers with office and administrative skills with employers. If a day laborer is an undocumented immigrant, unskilled, has a low level of formal education and does not speak English then Manpower is not a viable option to find work.

Labor Ready does provide work for unskilled day laborers. The staff at Labor Ready did not speak Spanish. Hourly wage rates for unskilled laborers was as low as \$6.50 per hour (gross hourly wage rate) for which an employer would pay approximately \$10.50 per hour to Labor Ready. Withholdings are deducted from the laborers pay by Labor Ready and the laborers are covered by workmen's compensation insurance. Laborers are paid daily, either by check or cash. Laborers can be hired daily at the office which is near the Route 355 entrance to the transfer station in Rockville. Labor Ready does not provide transportation. The staff noted that homeowners frequently use the laborers for moving and pay by credit card. Labor Ready is an option for a day laborer to find work if they are a documented immigrant. Because Labor Ready provides workmen's compensation insurance and is responsible for payroll withholding and employer payroll taxes the \$10.50 minimum hourly wage rate charged by Labor Ready may be a better option for the employer when compared to the \$10 minimum net hourly wage rate posted by CASA of Maryland.

Montgomery Works is essentially a computer based employer and employee matching service with an office located in the Lake Forest Mall. A job search on their web page under several categories including the category "construction" produced no job opportunities that could be filled by unskilled day laborers. If a day laborer is an

undocumented immigrant, unskilled, has a low level of formal education and does not speak English then Montgomery Works is not a viable option to find work.

The Task Force noted that CASA of Maryland the agency that manages and operates the Silver Spring and Wheaton day labor centers prepared a report for Baltimore titled Baltimore's Day Labor Report: Their Stolen Sweat dated December 2004 in which Labor Ready is identified as a temporary agency that employs "labor pool workers". Throughout the Report the "labor pool worker" temporary agencies are accused of unscrupulous practices even though the report indicates that labor pool workers have few problems getting paid. "Labor pool workers have few problems getting paid, but rarely make more than the minimum wage." The Report also acknowledges the legality of the labor pool arrangement. "The labor pool arrangement is sanctioned by law. The labor broker – the pool – is considered the legal employer responsible for covering the cost of workers' compensation insurance and taxes. Arguably, a portion of this cost is passed on to the contractor." The Task Force further noted the first recommendation by the Report was to open a day labor center.

"1. Provide operational funding and a city-owned building for Baltimore's day laborers to renovate and utilize as a safe location to find jobs, receive rights, education, health and safety training, and to develop their skills."

Health and Human Services

The day laborers are possibly among the poorest members of the community of Gaithersburg because, as indicated earlier, most day laborers are unable to find steady work and when they do the wages are on the low end of the wage scale. It is widely accepted that Spanish is the primary language for most day laborers and their families. Some day laborers have a very low level of formal education and some may not read or write. It is also widely accepted that many of the men and women that are day laborers are undocumented immigrants. The Task Force wanted to determine what health and human services are available in the community of Gaithersburg, if the services are friendly to the Spanish speaking members of the community and if the services are available to undocumented day laborers and their families.

The Task Force learned of two coalitions of providers that are active in the community of Gaithersburg. The first is known as the Gaithersburg Coalition of Providers of which there are approximately 60 member organizations. The second is known as the Gaithersburg Latino Community Providers of which there are approximately 45 member organizations. Some of the organizations are members of both coalitions. Informal membership lists for the two coalitions are in the Attachments section of this report. The coalitions are well represented by city and county government agencies, nonprofits entities and faith based groups. The coalitions meet quarterly, usually the third week of January, April, July and October. Crystal Carr, the City of Gaithersburg's new human services director is the meeting facilitator/coordinator. One purpose of the quarterly meetings is to identify health and human service needs in the community of Gaithersburg that are not being provided for by the member organizations.

There is also an alliance of faith based member organizations that are human service providers in the community of Gaithersburg called the Interfaith Alliance Group. Some of the member organizations in the alliance are also members of the two coalitions. Some provide funding and support services to the member organizations of the coalitions.

The Task Force attempted to learn more about the scope of the services provided by the member organizations and if the services were available to undocumented immigrants and their families. Given the limited amount of time and resources that were available to the Task Force members to complete this research it was not practical to gain a thorough understanding of the programs provided by each of the member organizations. Certain member organizations were contacted by the Task Force and a sample of information that was provided by them is attached. It appears that the coalitions and member organizations' programs are friendly to the Spanish speaking members of the community. It also appears that day laborers and their families could receive necessary health and human services including but not limited to meals, shelter, clothes, ESOL classes, child care, prenatal and delivery care, mental health assistance, family counseling, and early childhood education from the coalitions.

The Task Force was unable to determine if the day laborers and their families knew about the services and to what extent day laborers might be using the services. Unless a day laborer or a member of a day laborer's family learned by word-of-mouth about the member organizations and their services the Task Force has assumed that the day laborer would have little means to learn about the member organizations and would not be using their services. The Task Force assumed this because (i) it is extremely unlikely that a day laborer would have the contacts or resources available to the Task Force to research and learn about the member organizations and their services and (ii) there doesn't appear to be any one user-friendly source that is available to the public at large that includes information about the member organizations and their services. The Task Force noted that the member organizations do have literature that they can provide to explain who they are and their scope of services in response to specific inquiries.

The quarterly meeting of the member organizations appears to be an effective way for the member organizations to monitor the health and human services needs and effectiveness of the services provided in the community of Gaithersburg. The Task Force was unable to determine if day laborers had been discussed in past coalition meetings and/or if the needs of the day laborers were unique to day laborers and required any specific attention from the coalitions or member organizations.

Option D

“Build Center & Enact/Enforce Ordinances”

Note: Option D does not have a report component. Rather, it is a combination of Options A and B. It provides for establishing a center in conjunction with enacting/enforcing ordinances to support the center’s use as the sole gathering site.

Option E Research Report
“Consequences of Doing Nothing”

The Consequences of Doing Nothing

Locally

Locally, the first evidence that city government has no policy to address the day laborer situation and that city government is doing nothing or close to nothing can be seen every day at the end of Walker and Brookes Avenues; 20 to 80 men, day laborers, congregate in a parking lot, subject to the elements of weather, barely organized and looking for work that only sometimes comes.

The neighborhood women and girls and some attendees of Grace United Methodist Church have experienced catcalling and suggestive language, which was occasionally reported to the police. This past summer neighbors also experienced day laborers sleeping in yards and parks, rummaging through donations left for the Vietnam Vets, and even two men bathing in a neighbor's side yard with the garden hose. When asked to leave, threats (in Spanish) were hurled at the neighbor. Grace Church had to remove the clothes donation bin from their parking lot because men were climbing in the bin and trying on the clothes in the parking lot. Reports have been filed for public urination, littering, public drunkenness, and trespassing. Most recently, the police were called to settle a dispute between an AA attendee and a day laborer.

Almost two years ago, Grace Church confronted the misbehavior of the men and in an act of kindness opened their doors and encouraged the men to use the indoor restrooms, trash bins and to refrain from using alcohol in the parking lot and on church property. In 2004, a committee that included Rev Piel, Mayor Sidney Katz, City and County Managers, day laborers, CASA de Maryland (an advocacy group), and police began meeting to attempt to deal with the growing number of men seeking employment. After a year of brainstorming a plan emerged to open a Day Labor Center at the end of Brookes Ave. in the old water filter building. This plan was aborted when the City residents objected to being left out of the process and that proper government procedure had not been followed. It quickly became evident that the city had no policy to deal with the day labor situation.

In response to a community need at their back door, Grace Church continues to make its facilities available and, in so doing, may be increasing the number of laborers congregating there. To do nothing would exacerbate the issues at the church and Grace Church cannot be expected to assume this responsibility for much longer.

Furthermore, it could be said that because city police resources have been diverted to managing the day laborers in multiple places (i.e., Grace, 7-Eleven, Duron Paint) that the current situation is not optimal. Complicating matters for the city police is the risk that enforcement of federal laws can be construed as harassment, which could result in resentment on the part of the Latino community.

It is safe to say that day laborers will continue to frequent the parking lot adjacent to Grace Church as well as the Duron Paint store and the 7-Eleven, if nothing is done. Beginning April 1, Grace Church will no longer host the day laborers by serving coffee,

sandwiches and doughnuts. However, the restrooms and trash bins will still be made available to them. There are concerns that after April 1, there will be a need for greater police presence which could put a strain on the police resources. There are also concerns that there could be unforeseen consequences to the neighborhood. These are legitimate concerns of the residents in the neighborhood around Grace Church and this situation could negatively affect their property values as well.

Even if city government chooses not to actively participate in the management or operations of initiatives to solve the issue in the city, it is the city government that possesses the authority to create a policy. In Herndon, a nonprofit (operating on fundraising rather than tax dollars) partnering with a group of volunteers has come together with the support of city government to execute a plan to solve the issues in that city. Some have argued that the city government should not be involved in funding or day-to-day operations.

The Task Force has found similar situations in other communities across the nation.

Nationally

Nationally, the consequences of doing nothing are well documented. The rise of the Minutemen, who use picture taking and threats of arrest to intimidate the day laborers and their potential employers, has been well publicized. The extremes of right wing behavior can be seen to their full effect in the documentary, *Farmingville*. Violence can spring up on the left side of the issue, as well. The notorious MS-13 gang leader, Ebner Anivel Rivera Paz has plans “to teach the Minutemen a lesson they’ll never forget.” (*The Washington Times*, 3/28/05) Doing nothing gives rise to radicals on the left and right of this issue. The City of Gaithersburg and its residents have a long and proud history of tolerance and acceptance of diversity. Government must act or the vacuum of inaction could lead to radical uprisings that have been seen elsewhere.

Conclusion

The legality of a day labor center that allows illegal immigrants to partake is a legitimate concern. The topic of illegal immigrants and day labor centers have proven to be a polarizing force that evokes strong opinions on both sides of the issue. One conclusion is that immigration laws are in need of reform. Although city government may choose to believe that Congress will eventually enact laws that effectively deal with the local issues, city government must question if doing nothing in the interim is the best policy to deal with local issues.

One of the primary reasons that anyone would support the "do nothing option" is because they feel that local government should abide by the federal immigration laws. Some feel the opening of a day labor center supports illegal employment in violation of the immigration laws. Some feel that if undocumented workers were not hired by U.S. citizens, they might return to their countries and the issues would be

solved. Realistically, local government does not have the resources to enforce federal laws.

If City government chooses to do nothing, then it will still have made a choice. In this case the status quo leaves dangerous social implications. Citizens and workers may become angry and the potential for violence has been seen in other communities. To do nothing also further marginalizes the day laborers and does nothing to improve their opportunity to become productive members of the community. The resulting, increased social alienation can only help foment anti-social and criminal behavior to the detriment of our city. A long-term division within the community that can derive from the social alienation of Latino workers would most likely be harder for the City to address than resolving the current day labor issue.

Practical Options Report

Charter # 3: Based on the information collected, compile a list of practical options to address the current situation in Gaithersburg. Prioritize the options, listing the pros and cons of each, and present them to the Mayor and Council.

*Note: Options are presented in order of priority as determined by vote counts.
Criteria and pros and cons within each option are not prioritized.*

Option 1: Day Laborer Center (Limited Service - Herndon Model)

A day laborer center under Option 1 is intended to reposition the day laborers from current congregation points to a facility managed by a faith-based organization in partnership with local government. This option provides a place for day laborers to seek jobs and limited services including English classes and resources for communicating where health and human services are available throughout the City and County. Under Option 1, the City would create zoning and conditional use permit ordinances and criteria to allow a center to be cited. Option 1 includes a requirement for the enforcement of existing ordinances and the development of new ordinances where appropriate to maintain public order.

Characteristics of Day Laborer Center Operation and Management:

1. Careful site selection incorporating safe access for day laborers and contractors.
2. Outdoor shelter and structure for office and classroom space.
3. Run by a faith-based organization and local government partnership (including, County, Police, community advisory board, and possibly City).
4. Full-time staff (during hours of operation) with volunteers to supplement staff.
5. The center is overseen by a workers' committee (for operations) and by a community advisory board which collects data and addresses community concerns, particularly those inappropriate for police enforcement.
6. Issue Identification cards for laborers.
7. Use of existing ordinances for trespassing, loitering, disorderly conduct, etc. and have local officials obtain permission from private property owners to enforce these ordinances on private property as needed in the areas where permission is deemed necessary to maintain safety and public order.
8. The site will be the only approved site for the congregation/employment of the day labor community. Create or modify existing anti-solicitation ordinances to accomplish this goal.
9. Create zoning and conditional use permit ordinances and criteria to allow a day labor center to be opened and operated by others in the City in accordance with the zoning and conditional use permit ordinances. (Herndon's conditional use permit should be used as a reference for use permit provisions.)
10. Identifying incentives for both contractors and laborers to participate at the center (e.g., raffles for gloves, bicycles, coats, shirts, etc.).
11. Offer English classes at the center.
12. Provides information on existing health and human services available to workers and their families.
13. High level of day laborer participation in management of center.

14. Quarterly review and a two-year independent evaluation of facility operation and performance.
15. A suggested foot traffic map posted for all the day laborers to provide information on safe route(s) to the center.
16. The City shall respect the rights of all residents living in the City.
17. Center will provide services to all residents regardless of race, creed, color or gender and center agrees to continually solicit all disadvantaged residents to make them aware of the services available at the center.
18. Contractors and day laborers would be registered.
19. Acts as a mediator between the laborers and employers when the laborer is not paid properly.
20. The City should establish/enact an official policy/position on the issue of Day Laborers. This policy/position should reflect the City's "character" guidelines and guide the City's resolution of the Day Laborer situation in the City of Gaithersburg.

Pros

1. Would not place the total responsibility on faith community.
2. Day laborers would have a sheltered place to gather.
3. Run by an organization whose primary focus will be city and not county, national or international issues.
4. Ensures that center is not located in neighborhood or inappropriate business areas.
5. Eliminates other gathering pockets around the city.
6. Some access to education, assistance, counseling, etc.
7. Selection of day laborers by contractors would be controlled.
8. Could be viewed that the City is decisive in addressing the issue.
9. More flexibility in site selection.
10. Would be viewed as temporary.
11. Operating costs could be relatively modest.
12. Serves to officially relocate day laborers from the street and out of a residential neighborhood.
13. Provides order to a currently disorganized process.
14. May ameliorate traffic-related issues with the current unofficial site location.
15. Promotes work for undocumented workers.

Cons

1. Would be viewed as temporary.
2. Not optimal for education, assistance and counseling.
3. Promotes work for undocumented workers.
4. Partnership does not exist and would have to be created.
5. Limited choice of locations.
6. City will have to be vigilant with evolving ordinances.
7. Would require day laborers to become familiar with new location.
8. Would still need input by faith community.
9. Could be viewed as the City supporting illegal activity.

Option 2: Day Labor Policy

Option 2 is a policy position that states that the City of Gaithersburg will not open, operate, or fund a day labor center but doesn't prohibit others from opening a day labor center. It requires the City to create zoning and "use permit" guidelines to be used by others to open a day labor center in the City and requires the City to examine creating ordinances that have been used effectively in other jurisdictions (Herndon) to solve the issues in the City. Option 2, includes policy and position statements that will be the foundation to guide the City on all current and future decisions related to day laborers. Option 2 requires the City will support the laws of the land and won't encourage violation of the laws of the land and requires that the City be respectful of all of its residents and insure that all residents are safe and secure.

The City should establish a Day Labor Policy with the following provisions:

1. The City shall respect the rights of all residents living in the City.
2. The City police will not arrest residents for immigration law violations unless the arrest is in connection with an arrest for another offense. Any changes to the policy related to police enforcement of immigration laws shall be posted in public places within a reasonable time before the changes are to become effective.
3. The City will uniformly (i.e., all residents) enforce existing ordinances for trespassing, loitering, disorderly conduct, etc. and endeavor to obtain permission from private property owners to enforce these ordinances on private property as needed in the areas where permission is deemed necessary to maintain safety and public order.
4. The City shall create an anti-solicitation ordinance modeled after the Herndon anti solicitation ordinance and that works in conjunction with pre-approved and existing employment sites like Labor Ready's facility on Frederick Avenue or a future day labor center opened by faith-based organization with roots in the City of Gaithersburg.
5. The City shall not participate in the funding of a day labor center within the City.
6. The City shall create zoning and conditional use permit ordinances and criteria to allow a day labor center to be opened and operated by faith-based organization with roots in the City of Gaithersburg in accordance with the zoning and conditional use permit ordinances. (Herndon's conditional use permit should be used as a reference for use permit provisions.)
7. The City shall create a Day Labor Committee appointed by the Mayor and Council to include City Police, City Health and Human Services (HHS) and City Manager participation to monitor day laborer issues in the City and to develop and distribute a condensed summary of the City's Day Labor Policy, HHS awareness information, and English as a second language (ESOL) information. The information shall be

available in English and Spanish in a user friendly format. The City shall provide said information on the City's web page in Spanish too.

8. The City shall respect the laws of the land and in this case specifically the federal laws related to immigration and employments and shall not intentionally commit any act or endorse any act by others that may violate any federal laws related to immigration or employment.
9. The City shall encourage U.S. Citizens to respect the laws of the land including federal employment and occupational safety laws and to comply with all applicable laws when employing day laborers.
10. The City shall encourage all day laborers to respect the laws of the land including federal immigration and employment laws.
11. Any center will provide services to all residents regardless of race, creed, color or gender and center agrees to continually solicit all disadvantaged residents to make them aware of the services available at the center.

Pros

1. Provides a model policy that could be used for guidance in future decisions.
2. Creates zoning for a day laborer center.

Cons

1. Option 2 does not allow City funding or encouragement of use of any day laborer center.

Option 3: Create a Day Labor Center (Full Service)

(This option does not include creation or enforcement of new ordinances.)

A day laborer center under Option 3 is intended to reposition the day laborers from current congregation points to a facility managed by a nonprofit organization. This option provides a place for day laborers to seek jobs and an expansive set of services including: legal council (pro bono), identification cards, financial education, bilingual and bicultural support services, job training, health screening, GED, citizen preparation classes, and English classes. This approach would provide an environment where cultural exchange between the laborers and the community could occur. Under Option 3, the City would enforce existing ordinances but would **not** consider developing new ordinances.

Characteristics of Day Laborer Center Operation and Management:

1. Facilitates the economic and social well-being of Gaithersburg's immigrant population by providing a place where they may find temporary or permanent employment.
2. Provides a facility that will keep laborers protected from the elements, offers them restrooms and a cup of coffee while they wait for work.
3. Organizes the hiring process by using a lottery system or other ways of making the process peaceful and fair.
4. Laborers are registered and issued identification cards when they first attend the center. Employers are registered with the center when they hire a laborer.
5. Acts as a mediator between the laborers and employers when the laborer is not paid properly.
6. Management may offer legal counsel, at little or no financial cost to the laborer that addresses non-payment of wages, minimum wage and overtime violations, unlawful wage deductions, discriminatory employment practices, retaliatory discharges, and housing-related issues, and other issues as appropriate.
7. Management may offer services such as bilingual and bicultural support services, English classes, job training, and health screenings, GED, citizen preparation classes, and financial education, to the laborer and his or her family regardless of legal status.
8. Centers can offer cultural awareness classes. These classes can foster a general understanding of cultural differences and similarities and help laborers and their families respond with dignity to problems they may face because of their immigrant status. The center can help promote not only the importance of learning the English language but also help laborers understand the laws and cultural practices of the United States. Centers can offer workshops about the laws and ordinances that affect the laborers' relationship with the community and with the police. This would improve security overall by developing relationships with the day laborers, local community and law enforcement.
9. Includes the laborers in the decision-making process concerning rules of conduct, hiring practices, and administrative practices.
10. With careful site selection, safe access for day laborers and contractors
11. Use existing ordinances for trespassing, loitering, disorderly conduct, etc. and have local officials obtain permission from private property owners to enforce these

ordinances on private property as needed in the areas where permission is deemed necessary to maintain safety and public order.

12. Run by qualified and experienced group that can offer services described.
13. Progress reports should be submitted to the City of Gaithersburg on a quarterly basis.
14. Management acts as a mediator between the laborers and employers in case of dispute.

Pros

1. Helps alleviate the situation of day laborers congregating on street corners, parking lots and in front of stores.
2. Helps with the issue of immigrants finding daily labor and possibly permanent employment.
3. Re: Worker and employer registration:
 - a. Provides the laborers and the community an alternative to the current chaos that exists when contractors drive up to an area and try to hire a worker.
 - b. This makes them feel safer than if they were to hire a laborer on a street corner.
 - c. Protects the workers against employers that abuse and mistreat them.
 - d. Makes them feel safer than if they were to hire a laborer on a street corner.
 - e. The community may sense a feeling of security when hiring from a center rather than from a street corner or parking lot. Knowing the center has a profile of the worker, the employer has recourse if they are dissatisfied with the worker.
4. Secure a fair wage, from the viewpoint of the laborer and of the employer.
5. Re: identification cards:
 - a. This is a helpful tool for immigrants to begin their process of adjustment to the American way of life.
 - b. With this card they can acquire a library card and sometimes, depending on the bank, open a bank account.
6. A well placed center may help prevent laborers from entering the property of private residences. The center must be accessible to public transportation.
7. Promote a healthy and friendly relationship between the community and the laborers. Considering that the laborers are in the majority Latinos, the creation of the center will be viewed as a positive and friendly move toward the larger Latino population of Gaithersburg. This generates feelings of goodwill from the workers and empowers them with respect for themselves and the community at large.
8. Re: laborers included in the decision making: helps empower the laborers and instill a sense of responsibility and ownership toward the center.
9. Takes a humanitarian approach towards a pressing need in the community.
10. Makes services available to workers who use the center, if they choose to take advantage of them during center hours.
11. Protects city from legal liability as long as the city does not directly operate the center (according to opinion of city attorney).
12. Minimizes the effects of the informal hiring locations on the larger community.
13. Facilitates matching of employers with qualified workers, satisfies employers'

- irregular demands for workers, and increases the overall rate of hiring of day laborers.
14. Improves the treatment of day laborers by employers and ensures better working conditions by establishing regular hiring procedures and regulations. In particular, a Center would avoid under-bidding and other practices at unofficial sites that result in payment of workers at a rate below minimum wage.
 15. Need for police may diminish with a center.
 16. Placing a center away from a residential neighborhood would garner fewer complaints.
 17. Police could continue to patrol the day labor area and maintain a friendly relationship with the laborers while enforcing the law.
 18. Would not place the total responsibility on faith community.
 19. Could be viewed that the City is decisive in working the issue.
 20. Would be viewed as a permanent solution.
 21. Serves to officially relocate day laborers from the street and out of a residential neighborhood.
 22. Provides order to a currently disorganized process.
 23. May ameliorate traffic-related issues with the current unofficial site location.
 24. Day laborers come to a community because of the economic opportunity, plain and simple. If there is no work, day laborers will go elsewhere. What a center may do however, is bring day laborers from unofficial hiring sites to one official hiring site, which may increase the perception of the number of day laborers in the community.

Cons

1. Some day laborers may choose not to use the center, preferring the shopping center parking lot adjacent to Grace UMC, Duron, or the 7-Eleven parking lot.
2. The center could create traffic problems for the city if it is not located in an area that allows for appropriate ingress and egress by employers.
3. If the center is not used by the laborers because of inaccessibility or because of any other adverse characteristics, the creation of the center will defeat its purpose.
4. The creation of the center may be perceived as an overly costly enterprise and would require an investment of funds by public or private sources.
5. Could be perceived as tying availability of social services to status as day laborer, and willingness to come to center to obtain services.
6. Does not reduce worker congregation in inappropriate locations, and does not prevent growth of additional casual hiring sites.
7. Ties availability of social services to existence of center, regardless of employment benefits (or lack thereof) of center.
8. Existing county day laborer centers may foster dependency in workers, rather than independence and self-representation.
9. No local accountability for an important policy issue.
10. County does not envision trial period, or competitive contract process
11. May attract more day laborers to city and/or lead to continuing confrontation between pro-immigrant and anti-illegal-immigrant groups.
12. May lead to increase in abuse for those who do not utilize the center, since abusive employers still hire outside center.
13. Some time will be required to steer workers and employers away from informal

- hiring practices and educate them about the benefits of using the Center.
14. Police may be needed to enforce ordinances, should workers continue to solicit at the parking lot.
 15. Some may accuse the center of being illegal and may protest the existence of the center. Could be viewed as the City supporting illegal activity
 16. Would be viewed as a permanent solution.
 17. Would require day laborers to become familiar with new location.
 18. Operating costs would be higher than other alternatives.
 19. Inappropriate Use of Taxpayer Funds: taxpayers would have every right to cry foul over the spending of public funds on an effort that would ultimately support the aiding of many undocumented citizens.
 20. Creates an Unfair Playing Field: the center would not be able to validate that contractors are paying taxes on the laborers. A public acknowledgement that this is acceptable puts contractors who pay full time staff and benefits (and follow all related laws) on an uneven playing field. (It sends the wrong message to those who are following our laws).
 21. May Compound the Existing Problem: A day labor center may create a greater influx of day laborers in our community. By the hiring counts it appears as though a saturation point, in terms of available jobs, has been reached.

Charge #4 Report

Develop Specific Criteria Relating to the
Location for a New Day Laborer Center that
would be Funded and Operated by
Montgomery County

Definition

Day Labor Center or Center. A site approved by the City that is used by temporary workers to congregate while seeking employment from employers that visit the site to negotiate the employment arrangements. The site may be improved with a building or buildings and may provide health and human services, ESOL classes and other services for the temporary workers while they wait for work. The congregation of temporary workers waiting for work is an inherent characteristic of this use.

Site Criteria

Minimum Area

- Site size should be adequate to provide for:
 - Safe and efficient pedestrian and vehicle circulation
 - Space for a minimum of 150 temporary workers to congregate
 - Space for management offices, health and human services, ESOL classes, and restroom facilities (to be provided on site)
 - Setbacks and landscape buffers from adjoining property and adjacent streets

Onsite parking, drive isles and vehicle circulation

- Provisions for safe vehicle entry and exit to and from the Center shall be provided.
- Provisions for stacking of multiple vehicles at entrance and exit shall be provided.
- Parking areas and drive isles shall be sized and designed to accommodate trucks with trailers.
- On-site parking shall be provided for employees, visitors and temporary workers that drive to the Center.

Fencing, landscape buffers and lighting

- Fencing shall be used to provide secure and safe operations. Fencing shall also be used to control access points to and from the site and discourage road side pick up of day laborers.
- Adequate outside lighting shall be provided.
- Landscape buffers shall be provided. Trees with high canopies together with low growing plantings shall be used for safety-conscious screening.

Setbacks

- Outside areas used by temporary workers to congregate while waiting for work shall be setback a minimum of 50 feet from adjacent properties and the setback shall be maintained using fencing and landscape buffers.
- Additional setbacks shall be provided as considered necessary to reduce affects of Center operations on adjacent properties.

Other

- Trash and recycling receptacles shall be provided on site.

Zoning and Land Use Criteria

A Center **shall not** be allowed in or adjacent to the following zones or uses:

- Land zoned or used for residential or commercial office purposes or designated in the City Master Plan as Corridor Development Zone (CD) or Central Business District Zone (CBD).
 - Center operations including the congregation of day laborers waiting for work are incompatible and cannot be integrated with these zones or uses.
- Schools, children day care centers, parks.
- Establishments where offsite sales of beer, wine or alcohol sales are permitted.

A Center may be allowed in the following areas as a **Special Exception Use**:

- Commercial Retail Zones and Industrial Zones. Before a Use Permit is approved:
 - The affects of the location of the Center within the retail use and the Centers affects on parking and vehicle circulation shall be evaluated.
 - It shall be demonstrated that the Center operations shall not have an adverse affect on other retail uses within the retail use or adjacent properties with zoning or land uses where a Center is prohibited.

Pedestrian and Vehicle Access and Transportation Criteria

- Provisions for safe vehicle and pedestrian entry and exit to and from the Center shall be a required.
- Access to the center for pedestrians and/or vehicles shall not be through adjacent zones where a center is prohibited. A suggested foot traffic map shall be posted for all the day laborers to provide information on safe route(s) to the center.
- Hours of operation shall recognize the Center shall be the drop-off point for temporary workers at the end of the workday. (The Center is not only a place to pick-up temporary workers.)
- Provisions for access to the Center by public buses and close proximity to a public bus stop shall be required.
 - The Center's proximity to public transportation is much more important than proximity to temporary workers' homes. Provisions for public transportation allows a Center to be located in the correct zone without conflicting with other zones, land uses, homeowners, businesses, etc. However, wherever possible, proximity to temporary workers' homes should be considered.

- Bus passes can be provided to temporary workers to encourage use of the center.
- Bicycle racks shall be provided.

Provisions for Evaluation of Selected Site

- Use Permit for Center shall be for a temporary period not to exceed one year.
 - Provides opportunity to relocate center to a more appropriate location incorporating the lessons learned during the temporary-use period.
 - Provides opportunity to consider sites for center that may be more desirable but not available at the time of the initial site selection.
 - Temporary use shall satisfy the criteria herein so that the Center does not adversely affect the community during the period of the temporary use.
- Renewal of the Use Permit shall depend on the center's employment performance, i.e. the ability of the Center to find work for temporary workers and its ability to eliminate temporary workers congregating at other unauthorized locations within the City.
- Center ongoing operations and results of operations shall be regularly monitored and evaluated by a Gaithersburg Community Advisory Board.
 - Advisory Board membership shall include temporary workers representatives, residents, business owners, representatives of religious groups, health and human service providers, City Staff, etc.
 - Center management shall provide a detailed operations plan for review and approval by the Advisory Board before a Use Permit is approved.
 - Advisory Board shall be provided with regular reports on the number of workers using the Center, how long individual workers continue to come to the Center, where the workers live, etc.
 - Advisory Board shall endeavor to address all community complaints and concerns, especially those requiring police enforcement.

Operations and Building Criteria

- Rest room facilities shall be provided.
- Covered area shall be provided to protect temporary workers from inclement weather while waiting for work.
- Covered office area for Center staff and classes shall be provided.
- Employer pick-up/drop off area shall be physically separated from the temporary worker waiting area but activity should be visible to the temporary workers.
- Buildings shall be locked and secured during non operating hours.

Attachments

Table of Contents

CHARGE #1 REPORT ATTACHMENTS

CASA's Workers' Center Concept Paper.....	63
Day Laborer Center Presentation to Mayor and City Council.....	69
Pastor Piel's Overview of Day Labor Issue.....	72
Meeting Summaries of Non-City Ad Hoc Committee.....	77

RESEARCH REPORT ATTACHMENTS

Option A - Attachments

Herndon's Code of Conduct.....	87
CASA's Employment Center Rules and Regulations.....	93

Option B - Attachments

Herndon Ordinances.....	96
Gaithersburg Ordinances.....	98
Montgomery County Ordinances.....	104

Option C – Attachments

Sample of Services Provided by Membership Organizations....	113
2006 Gaithersburg Coalition of Providers.....	122
Gaithersburg Latino Community Providers List.....	134

Worker's Center in Up-County Montgomery

Article I.

Concept Paper

“Day laborers,” individuals who work and get paid on a daily or short-term basis, are becoming a growing segment of the U.S. economy’s labor force. In 2001, the Bureau of Labor Statistics estimated that there were 260,000 day laborers, yet there are undoubtedly many more. They gather in public spaces and wait for potential employers, both subcontractors and private citizens, to drive by and offer them construction, painting, gardening, or carpentry work. As the number of new immigrants in the area has grown, so too has the number of day laborers. This has created a very serious set of issues for all involved – residents, business owners, employers, day laborers, law enforcement agencies, public officials, and community and civil rights organizations.

- “In Search of an Honest Day’s Work,” a report sponsored by the Washington Area Partnership for Immigrants

Section 1.01 Who are Day Laborers?

The phenomenon of day laborers conglomerating on street corners waiting for work in the mornings is spreading across Montgomery County. The immigrant community, and especially the number of recent arrivals, has skyrocketed in the past several years. The U.S. 2000 Census estimates that 11.5% of Montgomery County residents are Latino/Hispanic, and according to the Brookings Institution, 26.7% of all foreign-born residents of the Washington metropolitan region reside in Montgomery County (some 237,677 people as of 2000). Most of these individuals came to the United States with very little assets or resources, and since then have been desperately trying to establish a stable existence. They work in unsafe conditions, at below living-wage salaries, with many hours of overtime, and with very little knowledge of their workplace rights. In the aftermath of September 11th, immigrants have been especially hard hit, as evidenced by the growing number of workers competing for day jobs in recent years. In addition, most community members live in overcrowded and unsafe housing units and lack health insurance and access to medical care.

Section 1.02 Background on CASA’s Experience with Workers’ Centers

CASA’s first Center for Employment and Training was opened in 1991 in response to a growing crisis in Montgomery County. Immigrant workers were waiting on street corners for day jobs and, because of the informal labor market conditions, many workers were abused, mistreated, and under-paid (or not paid at all) by their employers. These workers sought a safe place to wait to be hired for daily or temporary low-skilled jobs. Because of the oversupply of labor and lack of organization, the workers were vulnerable

to significant exploitation by employers, the police, and general crime in the area. They lacked information about their rights and responsibilities. There were no facilities such as public restrooms or safe areas in which to interact and negotiate with employers. Civic associations also expressed concerns about the effects of these informal hiring locations on the neighborhood. They were concerned about neighborhood safety, public urination, loitering in front of businesses, and harassment.

To address these problems, CASA established its Center for Employment and Training in Silver Spring, which serves thousands of immigrant day laborers every year. The Center started with basic employment and organizing activities and then expanded to include a wide array of educational, legal, health, and leadership development opportunities. Today, unions, government agencies, nonprofits, and foundations visit the Center regularly to observe its operations and learn how to establish similar centers across the country. In the past year alone, CASA secured almost 6,000 jobs for immigrant workers, over 330 of them permanent placements. CASA is recognized locally and nationally for its leadership, advocacy, and direct services to the immigrant day laborer community. Hundreds of day laborers are active in CASA's community organizing initiatives, and over 3,400 enrolled in CASA's education courses in the past year.

Today, CASA is recognized as one of the leading organizations in the nation in providing employment and training services to immigrant day laborers, in addition to support services to help them achieve self-sufficiency. After years of a similar situation occurring in Langley Park of day laborers gathering to wait for work on street corners, the Crossroads Task Force converged and recommended CASA's Center for Employment and Training as a model workers' center in their final report. CASA is currently in the process of establishing a workers' center in Prince George's County that can serve the needs of the hundreds of workers who search for work on the corner of University Boulevard and New Hampshire Avenue.

Section 1.03 Model for a Workers' Center in Up-County Montgomery

While CASA's East Silver Spring CET is a highly structured, multi-service center where workers can have their multiple educational, health, social service, housing, and legal needs met, not all workers' centers operate in this way. In fact, according to CASA's experience there are two "levels" of service provision that can be incorporated in a workers' center:

(a) Basic Service and Organizing Model

In order to run a bare-bones operation of a workers' center, with the goals of providing the low-income day laborer community with employment and leadership development opportunities, CASA recommends the following:

- Community Organizing: CASA's experience has been that when community members are given the opportunity to develop their leadership skills, organize their peers, and motivate others to participate

in campaigns that will better the entire community, they are more committed to improving their own economic self-sufficiency as well as that of their neighbors, friends, and families. CASA strongly believes that a community organizing component is essential to facilitate town-hall meetings of the workers in which they design the general operating practices of the Center, including but not limited to, the creation of a lottery system, the enforcement of minimum wage standards to avoid underbidding, and to offer future suggestions to improve the Center. With a full-time *community organizer* dedicated to this work, workers will be more engaged in community education about employment rights and take preventative measures to protect their rights.

- Adequate Space: The workers' center needs at least 4,000 sq. feet of space in which worker's can gather to wait for work. This space should be air conditioned in the summer and heated in the winter and should have restrooms. The proposal should include funding to pay for rent and utilities for the space.
- Employment Services: CASA recommends an employment placement program that screens workers and employers according to their skills, credibility, and need. The program will use a lottery system to prioritize hiring activities and to place workers in jobs that will benefit both employer and worker. These activities should be managed by a *Job Developer*, who will also work with the workers to develop their capacity to obtain a permanent job that pays a living wage.
- Worker ID Cards: An *Intake Specialist/Administrative Assistant* will organize the provision of ID cards to workers who cannot obtain work on any given day. In addition, the *Intake Specialist* will conduct intakes for workers who come to the center, directing them to the appropriate program and/or offering them internal and external referrals, when appropriate. The *Intake Specialist* will also create flyers to distribute to employers, finalize employment contracts, collect statistics, etc.

CASA strongly believes that with the complementary work of both employment placement and community organizing, workers will not only be placed in jobs, but they will “learn how to fish.” That is, they will learn how to change the circumstances in their lives that prevent them from obtaining permanent employment.

(i) Comprehensive Service Model

While the above model includes what CASA believes to be the necessary elements to run a functional worker's center, there are many support services that CASA has incorporated into our Center for Employment and Training in Silver Spring that have proved to be very helpful in moving community members towards economic self-sufficiency. These services provide additional support for workers who seek information about health services, legal services, English classes, and leadership classes. With a comprehensive service model, CASA has been able to meet the

multiple needs of workers and their families, and it has turned its once “basic” workers’ center into a true center for working families that serves over 200 individuals every day through a variety of programs and services. In particular, for the up-county day labor and immigrant population in Montgomery County, CASA recommends the following service components (in addition to the basic service components mentioned above) to complete the comprehensive service model:

- English Classes: CASA recommends offering English classes to community members who come to the Center on a daily basis. Recognizing that the majority of individuals who come to the Center are day laborers and domestic workers, CASA recommends that an *English Teacher/Vocational Training Coordinator* teach CASA’s *ESOL for Day Laborers and Domestic Workers* Curriculum from 8-10am every day at no cost to students. This curriculum was designed collaboratively by students and teachers via “Popular Education” methodology to directly relate to participants’ lives.
- Vocational Training Classes: CASA recommends offering vocational training to better equip workers with the skills necessary for long-term and permanent employment. These classes will include basic carpentry, carpentry for women, advanced carpentry, landscaping, electricity, workplace safety, and painting. The *English Teacher/Vocational Training Coordinator* will organize the enrollment and scheduling of these classes.
- Legal Services: An *Attorney* will be on-site at the Center 2 days a week to offer legal counsel and services to workers who have suffered violations of employment law. These include, but are not limited to: nonpayment of wages; minimum wage and overtime violations; unlawful wage deductions; discriminatory employment practices; retaliatory discharges; and involuntary servitude. The *Attorney* will also conduct “Know Your Rights” workshops in conjunction with the workers’ association members to inform workers about their labor rights and responsibilities.

Section 1.04

Organizational Background of CASA of Maryland

The mission of CASA of Maryland, Inc., is to improve the quality of life and social and economic well-being of the low-income Latino and immigrant community. CASA facilitates the self-development, organization, and mobilization of the Latino community to gain full participation in the larger society. CASA achieves its goals through programs in areas such as leadership, organizing, women’s empowerment, tenant support, employment placement, legal services, health promotion, education, social services, and immigration assistance.

Since its founding in 1985, CASA has evolved from focusing primarily on direct service provision to providing a wide range of educational, organizing, and advocacy services designed to address the multiple conditions of poverty and disenfranchisement that control the lives of many Latino immigrants and refugees. According to Census figures, the state of Maryland is home to over 225,000 Latinos, with more than 75% of the

population residing in CASA's targeted geographic areas of Montgomery, Prince George's, and Baltimore Counties. These Latinos and Latinas came to the United States for a variety of reasons, including fleeing poverty and violence, seeking greater opportunity, and reuniting with family members, both new arrivals and naturalized citizens. They come to CASA to receive direct services as well to gain the leadership skills needed to promote independence and self-sufficiency in their local communities.

Section 1.05

1) Current Programs

CASA's programs focus on the empowerment and education of the low-income Latino and immigrant community in such a way that stresses individual self-sufficiency and community building.

- **Direct Services Department** operates from a "teach to fish" philosophy that focuses on educating individuals about their rights while supporting their own abilities to resolve barriers they face to leading productive, healthy, and self-sufficient lives.
 - **Employment Placement Program** provides unemployed and under-employed laborers and skilled workers comprehensive job opportunities to assist workers in obtaining meaningful and safe jobs that pay dignified salaries leading to economic self-sufficiency.
 - **Legal and Social Services Program** provides employment rights services through education and representation of day laborers, domestic workers, and other low-wage workers who have not been paid their wages. Also, the program provides tenant counseling, immigration assistance, and referrals for other legal issues, including domestic violence and consumer fraud.
 - **Salud es Vida - Health is Life Program** recruits and trains community members who in turn act as health promoters. These promoters provide linguistically appropriate and culturally competent risk reduction strategies to their friends, family members, and co-workers to combat HIV, cancer, and other health risks. This program also provides health testing and related services on-site at CASA, as well as medical interpreters and health care access information through a bilingual hotline.
- **Community Organizing and Action Department:** This Department closely involves community members in all advocacy activities, including setting priorities each year. This department organizes and provides technical advocacy assistance to three groups of key community stakeholders: *jornaleros* (workers), *inquilinos* (tenants), and *mujeres* (women). Community members work in committees to support legislation that would favorably impact immigrant families and community, including protection from lead paint, health care for all, language accessibility, and in-state tuition for immigrant children.
- **Education and Leadership Department** provides English for Speakers of Other Languages (ESOL), Spanish literacy, leadership, citizenship, vocational skills, and computer courses for day laborers, Latina women, and other low-

income immigrants. Workshops teach participants how to identify community needs and advocacy priorities, including ways to improve limited English speakers' access to government services, living wages, civil rights, and safe and affordable housing. CASA's Education and Leadership Academy develops its own curricula, based on *Popular Education* methodology and the educational needs of its students, to provide otherwise unavailable educational opportunities to community members.

Accomplishments

- CASA was recently selected as a 2005 recipient of the Annie E. Casey Foundation's Families Count – Maryland award for its excellence in working to empower low-income immigrant families.
- National Council of La Raza awarded CASA of Maryland the NCLR Affiliate of the Year Award for 2004. The Affiliate of the Year Award is an honor bestowed on one of over 300 NCLR-affiliated Hispanic-serving organizations for exemplary work in serving its local community and for supporting NCLR's policy and programmatic initiatives.
- In July 2004, CASA's clients and legal program staff appeared on the Oprah Winfrey show to showcase the need for services and the importance of CASA's work with domestic workers living in slavery-like conditions.
- CASA is the 2003 recipient of the Letelier-Moffit Domestic Human Rights award by the Institute for Policy Studies. This prestigious award recognizes one U.S. organization each year for championing human rights in the United States.
- CASA received the Annie E. Casey Foundation/NCLR "Family Strengthening Award" in December 2003 for its programmatic work at its Center for Employment and Training. This national award identifies, recognizes and rewards innovative, exemplary and effective programs and approaches for strengthening families in need.
- During the past 12 months, the Employment Program placed over 330 individuals in full-time jobs that paid a living wage.
- During the past 12 months, the Employment Rights Project recovered over \$265,000 in unpaid wages on behalf of over 400 workers.
- In the last year, the Education Program enrolled over 3,400 students English, computer skills, citizenship, and literacy courses.

CASA has had 20 years of experience in working with day laborers and 15 in operating its Center for Employment and Training in Silver Spring. CASA has the capacity, expertise, and experience to run a worker's center in Up-County Montgomery County. We hope to work with other organizations to serve the variety of needs of day laborers and low-income immigrants. We are confident that in partnership with Montgomery County, as well as other nonprofit organizations, we can create a worker's center that will be an asset to both the immigrant community and the up-county community at large.

Day Labor Center September 19, 2005 Presentation

Given recent discussions and media attention, I thought it would be helpful to provide the Mayor and City Council with an update outlining the history and current status of the day laborer center.

Background

As you may recall, the Spanish Catholic Center operated a facility at the shopping center located at 117 North Frederick Avenue for many years. The facility provided immigration counseling, employment assistance, and healthcare services. Several years ago, a small number of day laborers began congregating in the parking lot of this shopping center waiting to be picked up by construction companies, landscape firms, or other businesses that needed labor.

Apparently, the Spanish Catholic Center did not discourage the practice and permitted the day laborers access to their facility to use the restrooms. When the Spanish Catholic Center vacated the premises in July of 2003, the day laborers continued to gather at this location and gradually increased in numbers. Additionally, while most of the employers continued to pull into the shopping center at 117, the gathering spot gradually shifted from the parking lot to open space on the adjoining property owned by Grace Methodist Church.

About a year ago, both the City and County police began receiving complaints from both nearby business owners and Grace Methodist Church concerning nuisance activity at the site including littering, urinating in public, drinking in public, and directing catcalls at residents. Obviously, a very limited number of the day laborers were actually causing these problems, but the presence of so many men can be intimidating to anyone in the area.

At the request of the two affected property owners and community activists, an Ad Hoc Work Group including representatives from the County Executive's Office, County Council Member Mike Knapp, the Upcounty Regional Services Center, the City of Gaithersburg, the County Police, Grace Methodist Church, The Church of the Ascension, CASA of Maryland, and a number of community advocates began meeting regularly to identify solutions to this issue.

Work Group Discussions

Mayor Katz and Assistant City Manager Felton represented the City on this Work Group. The discussions focused on both public safety and abating the nuisance activity as well as humanitarian concerns for the well being of the day laborers. It is noteworthy that a Gazette reporter attended every Work Group meeting and that at least three articles on the Work Group progress appeared in the Gaithersburg Gazette.

During the course of discussions, it became apparent that this was a very complicated issue. Placing humanitarian issues aside, the Work Group realized that it would be virtually impossible using local enforcement authority to prevent day laborers from congregating somewhere in the area as long as there was a desire to obtain work and the need for this labor by local builders and businesses. While we have no way of knowing for certain, the general assumption is that a significant number of the day laborers are undocumented; however, the Federal government has not taken action to address this issue through immigration laws.

In response to a similar situation in Silver Spring, Montgomery County opened the first day laborer center in the county approximately ten years ago and contracted with CASA of Maryland to operate the facility. In addition to providing supervision, CASA issues identification cards to the day laborers, teaches English classes, and attempts to mediate employment related disputes between the day laborers and the businesses. Additionally, Montgomery County made a commitment in December 2004 to open a second day laborer center to serve a group of day laborers who have been congregating in the Wheaton area. The County also selected CASA to operate the Wheaton facility.

As an interim measure, Reverend Lou Piel of Grace Methodist Church made space within the church available to the day laborers between the hours of 6 a.m. to 10 a.m. each day, during the winter months, to provide protection from the elements and the availability of restrooms. A bi-lingual individual affiliated with Grace Methodist Church was hired on an hourly basis to supervise the day laborers while they were in the church. This arrangement worked well, and there were no incidents over the winter.

The Work Group agreed that the only viable long-term solution to this problem would be to open a third Montgomery County day laborer center in the vicinity of the location where the day laborers are currently gathering.

Upcounty Regional Services Director Cathy Matthews (on behalf of County Executive Duncan) and County Council Member Knapp agreed to sponsor the funding request during the County's FY 2006 budget process. During the course of the County Council budget deliberations, Council Member Praisner pushed for joint funding between the City and County, but the County Council ultimately approved the budget that included funds to lease a facility and to pay CASA to operate the facility during FY 2006.

Due to the need to keep negotiations to lease properties confidential, the entire Work Group did not participate in discussions concerning the appropriate location for the facility. The Work Group agreed that Cathy Matthews, Fred Felton, and a representative from Mike Knapp's office would handle site selection. The Selection Team quickly focused on three alternative sites in the Frederick Avenue Corridor; however, City representatives had serious concerns about the suitability of two of these sites and advocated for the site of 17 North Frederick Avenue.

The site at 17 N. Frederick Avenue is only 418 feet from the current site and has been vacant for several years. While we believe that this property is the most desirable site for the facility, the building needs some fit-up work and security enhancements such as

fencing to get the building ready, and the County Council did not appropriate funds for this purpose.

Given that City staff was of the opinion that this site was clearly the best location and because the County Council did not appropriate funds for fit-up work, ACM Felton recommended that the City agree to coordinate and spend up to \$25,000 to finance the work necessary to get the building ready for occupancy.

Current Status

As we began the interior demolition process, it became apparent that the building needs significantly more than \$25,000 worth of work to get the building ready for occupancy. There is one significant structural defect that we believe the property owner is responsible for under the terms of the lease with Montgomery County, and we have initiated discussions with Montgomery County concerning who will pay the additional costs associated with getting the facility ready. At this point, I do not believe the City should commit any more funds to this project, and I will keep the Mayor and City Council advised of the status of our discussions.

While the day laborer issue can be very controversial and is related to the national debate over immigration, local governments need to address problems that exist in their communities. While I realize that the Mayor and City Council may not be 100 percent comfortable with our involvement in this project, I would like to stress the following:

- The current situation with day laborers gathering is undesirable and poses a hazard to our residents. The situation could not be resolved through traditional police powers.
- Local governments simply do not have the authority to address immigration issues.
- This will be the third day laborer site that Montgomery County has opened. Montgomery County will incur the costs of leasing the facility and contracting with CASA to operate the facility; however, it is possible that staff will recommend the Mayor and City Council consider enhancing programming at some point in the future.
- Gaithersburg has worked with the County to get the best possible site.
- We will work with the County and CASA to ensure this facility is operated in an appropriate and safe manner.
- The facility will be supervised by professional staff, and consumption of alcohol will be strictly prohibited.
- The facility will be posted as “No Trespassing” when it is closed, and this will be strictly enforced.
- The City and County Police will both carefully monitor the site and the adjoining properties as necessary.
- From a humanitarian point of view, providing these men with shelter from the elements and assistance is necessary.

This concludes my presentation. I would be pleased to answer any questions you may have.

The Gaithersburg Day Labor Issue
Wm. Louis Piel
Sr. Pastor Grace United Methodist Church
Former Chair Community Task Force on Finding a Solution to the Day Labor Issue

Original letter January 31, 2006
Minor revisions and additions February 14, 2006

We Have an Issue That We Have to Deal With!

By the spring of 2004 we (the church and some community people) realized that we had to deal with an issue in regard to the day laborers. When the Spanish Catholic Center moved from the shopping center at 117 North Frederick Avenue, they left behind a number of men (12-15) who regularly gathered early in the morning attempting/hoping to find work. The reason they did not move with the Catholic Center to East Deer Park was that this was the location where those needing workers were accustomed to stopping by.

Originally, Grace Church was confronted with men urinating on the church lawn or bushes, dropping trash in the parking lot and along the church property, and drinking alcoholic beverages that they had obtained from the adjacent shopping center on North Frederick Avenue. A number of our neighbors also complained that some of the men were urinating on their lawns, defecating on their property, taking showers with their home garden hoses, and possibly stealing. In order to deal with this issue, the church opened our doors (they are generally open from morning to night) and encouraged the men to use our indoor restroom, urged them to put trash in a trash bin, and requested that no alcoholic beverages be used on church property and in the shopping center parking lot. Once communication was established, (language is a serious issue) things generally went well. We did have two incidents of disorderly conduct and the church called the Gaithersburg Police on both occasions and filed a complaint.

At the same time several of us made a decision to gather informally in the church fellowship hall early Friday mornings to talk about how we might deal with the growing number of men seeking employment (by this time the number of day laborers had increased to 25-35 men daily). These included myself, the pastor of Camino de Vita congregation, a pastor from the Episcopal Church of the Ascension, City of Gaithersburg Police Department, Montgomery County Police Department and a City of Gaithersburg representative. We met every week and added to our numbers from Montgomery County officials, Montgomery Works, Casa de Maryland, Gaithersburg Gazette and the list goes on. The main issues that we continued to face were “who was supervising the men who gathered daily” (seven days a week) and “what were the short-term and long-term solution to the issue that we faced?”

Our Rules

We developed some “rules” for the day laborers that included: (1) use the church restrooms, do not urinate on the grass or bushes; (2) do not throw paper on church property or in the shopping center, but use the trash cans; (3) do not “cat-call” at women or shout at people passing by; (4)

do not bring any alcoholic beverages onto the property, and report anyone who does; (5) remember that you are a guest, and you are on private property. Once rules were explained and communicated to the men, we had fewer and fewer problems around the church building.

Documented or Undocumented?

While the immigration issue was raised at most of our meetings and we were very concerned with the Federal Government policy (if they have one), we did not feel that we wanted to differentiate between those who had papers (legal) and those who did not have papers (illegal). The overriding issue was humanitarian concern. The men were already here and were at our “doorstep” and we needed to find solutions not simply just talk about issues. Montgomery County had adopted the policy of simply “not asking” about documented or undocumented workers, simply how to keep order, how to find daily work for the men and how to find a long-term solution.

By Fall of 2004

By early fall of 2004, I asked the Assistant City Manager and the Mayor of Gaithersburg if we could move our meetings from the church fellowship hall to the Gallery in City Hall and they willingly agreed. Our “ad hoc” task force continued to meet on a monthly basis and we often grew to 30+ people. The meetings were never closed or in secret. Our doors were always open. We assumed (probably wrongly) that since the Gaithersburg Gazette was covering the meeting and publishing articles almost every week in their Wednesday editions, that everyone knew what we were doing. There were two main concerns: (1) what was a “short-term” solution, and how were we going to deal with winter and cold weather coming on and (2) what was a “long-term” solution that possibly might include a day labor center in Gaithersburg that might be modeled after the one that was already existing in Montgomery County.

Grace Church, through its Trustees, offered to continue to open its doors five days a week (Monday through Friday) to the men. On those days the church would hire a person who could make coffee and offer food and the building would provide the warmth. On Saturdays and Sundays, the church would be open for warmth and restrooms. By December, we hired a person through the Camino de Vida congregation and paid from church outreach funds \$200 per week. Our hours were about 7:00 a.m. to 8:15 a.m. in our fellowship hall and then from 8:15 a.m. to 9:30 a.m. in our Owen Hall. Toward the end of the winter, we received a financial gift from the City of Gaithersburg to help out with a couple of weeks and also a financial gift for a week from the Episcopal Church of the Ascension. We made it through the winter months without a negative incident.

By Spring of 2005

The informal ad hoc task force continued to meet monthly and we took a couple of directions: (1) that we needed to move ahead with the helpful support of the City of Gaithersburg and Montgomery County in finding a location for a day labor center; (2) that we needed to find ways for the men to move from being day laborer to being a more permanent part of the employed community. Groups like Montgomery Works (LakeForest Mall) and Montgomery College were

a help in this area and continued to push us to find a more permanent work solution beyond a day labor center; (3) we needed to continue to supervise the men gathering in the church/shopping center parking lot to avoid any negative incidents.

We felt that we had moved about as far as we could in regard to #1, a location for a day labor center, and we turned this issue over to the City of Gaithersburg and the Montgomery County Real Estate Department to see if they could find a suitable location in the area where we could establish a day labor center.

It was interesting that in just about every meeting concern was raised about “protecting” the community or neighborhood when the day labor center was established. I remember the Mayor voicing concern several times about making sure we had separation/security from the day labor center, wherever it might be established, and the neighborhood or community. In hind sight although we tried to share honest concern about the neighborhood, we should have actually invited the neighbors to sit in with us and offer their opinions and comments. At that time though, we did not have a final destination for a center. Which neighbors should have been invited? We also knew that the Gaithersburg Gazette was covering all of our meetings and articles were appearing in the Wednesday edition on a regular basis.

The City and County came back with a recommendation of an unused water treatment building at the corner of Rt. 355 and Brookes Avenue. The access would be through Olde Towne and we could control who came and went. We could also provide security for the residents who lived on Brookes Avenue and surrounding areas. Although I felt the building was small, we decided to move ahead since it was at least a location and a temporary solution and, possibly, the building could be expanded at a later time. Although no contract had been made by Montgomery County with Casa de Maryland, it was assumed by some of us, since they had a good track record, that they would be the group that would supervise the center. The City of Gaithersburg agreed to fix up the building and Montgomery County agreed to get a lease and hire a supervising group.

It All Fell Apart!

When the Gaithersburg Gazette announced the chosen location, there was immediate deep negative concern from many of the residents of Walker Avenue and Brookes Avenue. Some residents felt that this was not a desirable location as it was too close to an existing neighborhood where there were children and that the neighbors had not been properly informed and invited to take part in the selection process. Some neighbors even felt that the decision had been made in secret sessions or behind closed doors. The City of Gaithersburg immediately pulled back, and with the City in retreat, Montgomery County continued to offer support but pulled back on this particular location at this time saying that it was apparent that the City of Gaithersburg simply was not ready to move ahead. The City had a major community meeting in the fellowship hall of Grace Church where the Mayor apologized for the way things were handled and then made a decision that no more meetings would be held except at City Hall and with television present so there would be no hint of secrecy. Many of the city and community residents shared their personal concerns including concerns about immigration both here and nationally.

The Alcohol Issue

For years there have been complaints from Walker Avenue residents (and possibly other residents) and the church concerning alcohol sales at the local 7-Eleven store in the shopping center on North Frederick Avenue. In the early 90's the management of the store responded to complaints that beer bottles were discarded on the church lawn and the lawns of residents and did a "clean up" through our neighborhood and promised to be more responsible in regard to whom they sold alcoholic beverages. Recently, we have had complaints that beer was once again being sold early in the morning to some of the day laborers or anyone who wanted to purchase beer. This issue was raised at the community meeting held at Grace Church. The City of Gaithersburg said they would look into it with the Montgomery County Liquor Board and for a time there was a sign posted on the door at the local 7-Eleven store that no beer would be sold until about 9:00 or 9:30 a.m. Whether or not this had a positive effect, I am not sure but we have had only minor problems since that time with alcohol consumption on church property and in the shopping center.

The Official City of Gaithersburg Task Force

At this point, the informal community task force just about stopped meeting. I believe we had one or two meetings and wondered: how the City would form a day labor ask force; what would this task force really do; if the City was really committed to this serious issue; how we would move ahead to deal with daily supervision; and how we would deal, in the coming winter months, with the cold weather and the day laborers.

The Coming Winter of 2005/2006

Grace Church agreed that it would once again open its doors to the day laborers in the winter of 2005/2006. Our Trustees and Sr. Pastor met with City officials and County officials in December and came to an agreement that the County would pay for one or two persons to supervise the day laborers in the church building from 6:15 a.m to 9:30 a.m. The church did not want a de-facto day labor center in our building but was willing to have the church building open for warmth, coffee, food, and restrooms. But, we also needed supervision. In December we received a phone call from the county saying that the money that had been allocated by Montgomery County Council was "only" for a day labor center and could not be used for supervision purposes.

At that point the Administrative Board of Grace Church agreed to hire a person through the Camino de Vida congregation to supervise the men and to pay \$200 per week for this person. This has been done since the first of January. At this point we have had good results with this ministry. We will continue this ministry until the end of March when the weather gets better/warmer. We also hope that the City Task Force will come up with a recommendation to the Mayor and City Council that will provide for a more permanent solution by the first part of April and that the Mayor and Council will seriously consider a positive solution.

Just about every day I walk the church grounds and the shopping center parking lot, and on a regular basis Pastor David Rocha also comes into the building and walks the property, along with

“somewhat” regular police supervision. I believe supervision and communication are critically important at this time until someone comes up with a more permanent solution if they ever do.

Personally, I was very pleased that the Mayor, in the recent State of the City message, mentioned the day labor issue as one that still confronts us and needs a solution.

Some Questions or Concerns

Is the City of Gaithersburg really committed to finding both a short-term and long-term solution to the issue of the day laborers or is this a “hot potato” that needs to be dropped or hidden away or handed over for Montgomery county to handle?

Is anyone really concerned about the supervision or lack of supervision on the church property or shopping center seven days a week? Who is presently responsible for supervision?

Does anyone realize that about 20 percent or more of the city residents are Hispanic/Latino?

Is the Day Laborer Task Force committed to finding a solution or have members already made up their minds about what to do or not to do?

Have any of the members of the City Task Force actually walked the church property or the shopping center property and talked to or had conversation with any of the men who gather every morning? Putting a face on the issue is important.

Is it true that a member of the City Council actually said at a recent dinner that no matter what the task force does, the city will drag its feet on this controversial issue?

Will we go into summer, fall and winter (2006) with exactly the same situation that we now have in existence and simply hope for the best or have more meetings?

Is it true, as one person recently said, “this is a problem that we have to solve!” Are these men a problem or are they a

I. Meeting Participants

Wm. Luis Piel Senior Pastor, Grace United Methodist Church	301-926-8688
James Akin Chairman, Grace Methodist Church Trustees	301-300-6992
David Rocha Pastor, Grace United Methodist Church	240-731-9450
Grace Rivera Oven , Community Representative	240-632-1236
Commander Tina Faass Police District 6m Montgomery County Police Dept.	240-773-5702
Lt. Marcus Jones Police District 6, Montgomery County Police Dept.	240-773-5763
Office Diane Quinn Police District 6, Montgomery County Police Dept.	240-773-5700
Cathy Matthews , Regional Director Upcounty Regional Services Center	240-777-8740
Nancy Hislop Upcounty Regional Services Center	240-777-8044
Celia Rivas Spanish Catholic Center	240-372-6068
Luis Martinez Department of Health and Human Services	240-777-1864
Rene Garcia , Day Laborer	
Victor Perez , Day Laborer	
Martin Solano , Day Laborer	240-449-9047
Juan Carlos Molinari , Day Laborer	301-977-4564
Agustin Morales , Day Laborer	240-246-1511
Rev. Simon Bautista Episcopal Church of Washington	301-948-0122
Joe Heiney-Gonzalez Office of Community Outreach, Offices of the County Executive	240-777-2525

II. Meeting Outcomes

- A. Meeting participants reviewed the summary of the prior meetings conducted by the ad-hoc planning group that took place on October 8th, 28th and November 4th.**

- B. Meeting participants agreed to create a formal planning group that will consider past meeting discussions.**
- **The Co-Chairs for the formal planning group will be Pastor Louis Piel and Juan Carlos Molinari.**
- C. Members agreed to schedule the following meetings:**
- **On Friday, December 3, 2004 at 8:30 am at Grace United Methodist Church.**
 - Participating in this meeting will be the Co-Chairs, Cathy Matthews, Joe Heiney-Gonzalez and the City of Gaithersburg representatives who would be contacted to notify them of this meeting.
 - This meeting is open to other members wishing to attend.
 - The focus of the meeting is to:
 - Determine the scope of work for this planning group.
 - Review the concept paper to be submitted by CASA of Maryland.
 - Identify timelines for developing short-term and long-term action steps needed to respond to the needs identified in discussions with the day laborers.
 - If scheduling is possible, discussions will take place with representatives from the City of Gaithersburg and Montgomery County to determine planning options to continue the public/private collaboration effort to respond to the needs identified in discussions with the day laborers.
 - **On Thursday, January 6, 2004 at 8:30 am at Grace United Methodist Church:**
 - The full membership of the planning committee will receive an update on the results of the Dec. 3rd meeting or other meetings held with the City of Gaithersburg and Montgomery County representatives or other non-profit partners.
- D. At the meeting there was agreement by members that it is important that representation from the City of Gaithersburg be present at the planning meetings that are focused on addressing the day labor issues as well as the broader community issues identified by meeting participants.**
- E. Members were informed that the issue of the Gaithersburg Day Laborers was one of the information items that was presented at a November 12th meeting held with Council Member Mike Knapp.**

Prepared by Joe Heiney-Gonzalez

/jhg/OCO/DayLaborers/Nov23, 04 mtg summary.doc

**SUMMARY OF PUBLIC/PRIVATE MEETINGS FOCUSING
ON GAITHERSBURG DAY LABORERS**

- **First ad-hoc planning meeting held October 8, 2004 at Grace United Methodist Church.** Representatives from Grace Methodist Church, City of Gaithersburg (Office of the Mayor, Social Services Office and Police Department), Montgomery County Police Department, Day Laborers, Offices of the County Executive (Office of Community Outreach)
- **Highlights of Meeting Outcomes**
 - Agreement for lengthening time available for day laborers to seek employment (6 am to 9 am). This arranged by Officer Quinn and shopping center owner.
 - Grace Methodist Church approved use of building space for day laborers to meet after AA Meeting vacated meeting room. Pastor Rocha to serve as contact for this effort.
 - Exploration of use of Identification Cards to be issued to the Day Laborers for their use to verify their participation at the Grace Methodist Church morning meeting room. ID's would be of use to day laborers to provide police as needed to verify their affiliation with the church employment assistance efforts.
 - Members agreed to develop open communications among representatives to identify short-term and long term needs identified by day laborers.
 - Members agreed to invite CASA of Maryland and Spanish Catholic Center to next meeting to identify future planning options to address employment and related issues unique to the day labor residents.
- **Second meeting held on October 28, 2004 at Grace United Methodist Church.** Representatives from Grace Methodist Church, City of Gaithersburg (Office of the Mayor, Social Services Office), Montgomery County Police Department, Day Laborers (per Pastor Rocha), Spanish Catholic Center, CASA of Maryland, Offices of the County Executive (Office of Community Outreach).
- **Highlights of Meeting Outcomes**
 - Review of the three week's of activity and relationships that took place among based on the 6 am to 9 am employment search hours, Grace Methodist Church services and relations among police and day laborers.
 - Exploration of steps to be taken to address short-term and long-term to address community employment issues and roles needed among the public and private partners.
 - Clarification by Montgomery County Police Lt. Marcus Jones that issue of day laborers is not specifically an enforcement issue. Clarification was made that police involvement in this matter is not similar to the situations of Prince William County in Virginia. Discussion held re: need for Spanish-speaking officers, as available, to be involved with the planning efforts to improve direct communication with the day laborers who are primarily Latino.
 - Agreement that this planning effort will require involvement of the private and public partners (Church, non-profit agencies, City of Gaithersburg and Montgomery County). Members were briefed on the Wheaton day laborers

- efforts by County that aim to develop a long term effort of creating an employment center model to respond to day laborer needs.
 - Agreement to meet as an ad-hoc group with the day laborers on November 8, 2004 at 7 am to speak with the day laborers and exchange information related to how to proceed in the ad-hoc planning efforts. Pastor Rocha to contact day laborers to inform them of Nov. 8th meeting; City of Gaithersburg to provide coffee and Danish for morning meeting.
 - CASA of Maryland requested to prepare a concept/proposal for review by the group members based on their agency experience in working with day laborers.
- **Informal meeting held on November 4, 2004 outside Grace Methodist Church.** Participants: Day laborers, Pastor David Rocha, Methodist Church colleagues, Gustavo Torres, Joe Heiney-Gonzalez. A brief meeting was held with the day laborers as they waited for morning job opportunities.
- **Highlight of Meeting Outcomes**
 - Day laborers informed about purpose and participants to attend the Nov. 8th morning meeting. Individuals were briefed on the prior two ad-hoc planning meetings convened by the Church and the public/private agency representatives.
 - Issues and concerns raised by the day laborers were discussed such as: Agreement reached re: hours available to locate work; use of the Church meeting room; expressed concerns re: police involvement and the taking of photographs by police; realities of day laborers such as non-payment of wages by employers and difficulties experienced due having limited or no knowledge of English when stopped by police officers, concern related to immigration matters.
 - Day laborers agreed to attend Nov. 8th meeting with expectation of developing a working discussion with the ad-hoc planning members.
- **Third meeting held on November 23, 2004 at Grace Methodist Church.**

RECOMMENDED AGENDA TO BE DISCUSSED:

1. Recap of the issues discussed Nov. 8th with the day laborers and at the Oct. 28th meeting

- Police Patrol Car stationed at Grace Methodist Church in mornings
- Request for a Spanish Speaking Police Officer at the Grace Methodist Church site
- Translation of an information flyer for use with the Day Laborers
- Day Laborer consideration of hours allowed for work search at the site
- Communications among Police and Day Laborers about rules/regulations/conduct at the day labor waiting area

2. Discussion of Day Labor Employment Center Proposal/Concept

- Gustavo Torres to provide us with a copy of proposal for consideration and use for Gaithersburg Day Labor site

3. Determine action steps

- Agree to a formal planning work group to determine next phase for the planning of short-term and long-term steps to address the Gaithersburg/Upcounty Day Laborer response
- Determine time frame and work schedule for the formal planning work group
- Identify other public/private partner needed to move forward with the next action steps

Prepared by Joe Heiney-Gonzalez, Office of Community Outreach, Offices of the County Executive

/jhg/OCO/DayLaborers/Nov23, 04 RECAP MEMO.doc

I. MEETING PARTICIPANTS

- Mayor Sidney Katz, Fred Felton, Louis Piel, Cathy Matthews, Joe Heiney-Gonzalez

II. HIGHLIGHTS OF MEETING DISCUSSION

- Background information was reviewed regarding Grace United Methodist Church response to needs of the Gaithersburg day laborers.
- Previous meetings conducted at Grace Methodist Church were reviewed and the participants of the day laborers planning group were acknowledged. Participants/representatives include:
 - The day laborers, Mayor's Office of the City of Gaithersburg, Gaithersburg Social Service Office, Gaithersburg Police, Grace United Methodist Church, Assumption Church, Casa of Maryland, Spanish Catholic Center, Montgomery County Police Department/District 6 and Community Outreach Office, Upcounty Regional Services Center, Offices of the County Executive/Office of Community Outreach
- Planning steps undertaken by the planning work group were discussed. Local churches contributed funds to pay for a staff person to help day laborers and supervise use of room at Grace Methodist Church. A concept proposal from CASA of Maryland has been reviewed and the recommended model for creation of an employment center was discussed.
- Input from the day laborers was discussed. This included: workers' request for a safe place to seek employment particularly during the cold months; information regarding their rights and responsibilities; day laborers' willingness to not be disruptive in the local community where they seek day work; requests for help create solutions for problems faced by day laborers; expectations for developing short-term and long-term plan where the community can improve ways to help individuals seeking employment access available jobs, job training, ESOL services and related services for day laborers and other community residents.
- Discussion addressed the need to develop effective public/private partnerships of municipal, county, faith communities, non-profits and day laborer representatives organized to find short-term and long-term solutions that serve City and County residents who seek employment and income to support themselves and their families.

III. NEXT STEPS

A. Short Term steps:

- Grace Methodist Church will provide meeting space for day laborers. With Church donations a paid staff member will supervise the use of church facilities.
- Workers will be responsible to observe the facility regulations; one person will be the "contact point" for the contractors and the workers in the mornings.

B. Long-Term steps:

- The City of Gaithersburg and Montgomery County will work to develop long term strategy(ies) that respond to day labor and other resident's needs for viable employment.

- The City of Gaithersburg will search for an appropriate location to locate where employment center model program can be located to address the needs of day laborers and county residents needing employment opportunities.
- The City of Gaithersburg and Montgomery County will jointly identify available resources and take steps to implementation the employment center model program. City and County coordination and strategic planning will aim to develop a comprehensive approach to address labor force development issues. The goal is to design an employment center that is responsive to the changing population demographics of the City and County communities.

A planning meeting was held January 6, 2004 at Gaithersburg City Hall to follow up on the December meeting.

MEETING PARTICIPANTS:

- **City of Gaithersburg:** Mayor Sidney Katz, Fred Felton
- **County Council:** Mike Knapp
- **Grace United Methodist Church:** Pastor Louis Piel, Pastor David Rocha
- **Assumption Church** Pastor Simon Batista
- **Day Laborers**
- **County Staff:** District 6 Police Representatives Lt. Marcus Jones and Officer Diane Quinn; Upcounty Regional Services Center Director Cathy Matthews; Luis Martinez of HHS; Office of Community Outreach Liaison Joe Heiney-Gonzalez
- **One Stop Employment Center** staff representatives
- **Grace Rivera Oven**

FOLLOW UP AGREEMENTS:

- Members agreed that the broader issue needing attention is the issue of labor work force development in the county, i.e., what supports and resources are needed to help City and county residents obtain employment to help them and their families live and work in the county.
- The issues related to day laborers are one aspect of broader issues related to the development of sustainable efforts in strengthening and improving the available labor work force.
 - The unique issues that impact the day laborers, who are primarily Latino, need to be addressed. These issues include language--- need to acquire English skills, job skill development, job placement; a safe and appropriate location where they can gather in the mornings to obtain work particularly with the onset of cold and inclement weather; assistance from the City and the County for protection from exploitation.
 - Members recognized that Montgomery County is and continues to be a point of entry for immigrant communities as witnessed throughout the region, and particularly, Central American immigrants.
- A partnership between the City, the County, Grace Methodist and other church and non-profit agencies is needed to appropriately plan for the development of a day laborer/employment center.
 - Services to be developed need to mobilize existing resources (funds) and existing community based services and not duplicate services.

Members agreed to continue a short-term and a long-term planning strategy.

1. Short-Term Strategy:

- Grace United Methodist Church will provide meeting space in the mornings where day laborers can congregate from 8:30 am to 9 am.
- Three church groups will donate \$4,000 and the City of Gaithersburg will assist with additional funds to pay for a staff person to be hired by Grace Church to manage the morning day laborers service on the church property.
- CASA of Maryland will work with members of Grace Methodist Church to recommend a trained worker to be interviewed and approved by the Church to manage the Grace Methodist Church program through March 1st. CASA will provide available program materials for use at the site.

2. Long-term Strategy:

- By March 1st the City of Gaithersburg will identify a building program site suitable for housing a day laborer/employment center program.
- The City of Gaithersburg and the County, working with Cathy Matthews will work to develop feasible program and funding work plans for implementation of a Gaithersburg employment center.
- Public, private/non-profit collaboration efforts will continue to achieve the development of the proposed Gaithersburg employment center program. CASA of Maryland will provide their experience and program resources to help in the development of the proposed program.

NEXT PLANNING MEETING: Friday, February 11, 2005 at 8:30 am at Gaithersburg City Hall.

Attachments to Option A Research Report

Approved by the Assembly of Workers of Herndon, December 6, 2006

Code of Conduct

Herndon Official Workers Center

A Reflection: Take pride and responsibility in the Center and its appearance. Your helpfulness and valuable cooperation are necessary in order to keep the Center clean and organized. We are dependent on the town and the employers of this community to exist. Whatever we can do to make a good impression will bring more work and support from the community, without which we could not survive as a project.

Rules Related to the Community and the Area Around the Center

1. Workers will use public streets and sidewalks only to travel to and from the facility and will obey all laws with regard to trespassing, littering or other offenses.

Disciplinary Actions(s)

- To respond to complaint against unidentified person(s), verbal admonition.
 - To respond to complaint against identified person(s), banned from the Center for one or more days, according to seriousness of the offense.
2. Any person using or seeking to use the Center who is arrested and convicted of a crime such as trespassing, theft, battery, sale of illegal drugs, etc. will be denied access to the services of the Center.
 3. Workers will remain in the defined area of operations while waiting for work.
 4. Workers are neither permitted to stay nor meet in the Center when it is closed. Workers who must return to the Center in order to pick up a bicycle must leave the Center within 10 minutes. No vehicle may be parked overnight at the facility. Bicycles may be left at the Center overnight but if they are left for more than three days unattended, they will be claimed by the Center.

Disciplinary Action(s)

- Person(s) identified by police, or another person or authority, as violators will be banned from the Center for two days.
- Person(s) identified several times as violators of this rule will receive a stronger sanction.

Rules on Weapons

5. No weapons may be brought onto the Center property. Workers are subject to penalties according to what local and state laws allow. In addition, for carrying firearms or other illegal weapons, guilty persons will be banned from the Center

for an indefinite period of time. If workers bring work tools that could be considered dangerous, these should be stored in the Center's office until such time as workers leave for a job or leave the Center.

Rules Related to Illicit Drugs

6. **Sale.** The sale of illicit drugs is not permitted at the Center at any time.

Disciplinary Action(s)

- Whatever local and state laws require.
- Guilty parties will be banned from the Center for an indefinite period.

7. **Use.** The use of illicit drugs is not permitted at the Center at any time.

8. **Under the Influence.** No person at the Center may be under the influence of illicit drugs.

Disciplinary Action(s)

- Police will be called to intervene as needed.
- First offense – guilty parties will be banned from the Center for one week and provided recommendations for programs for recovery from substance abuse.
- Second offense – guilty parties will be banned from the Center for an indefinite period, and they must submit proof that they have enrolled in a program for recovery from substance abuse.

Rules Related to Alcoholic Beverages

9. **Possession or Use in the Center.** The possession of alcoholic beverages is not permitted at the Center at any time. Any person who arrives at the Center with an alcoholic beverage must throw it away or leave the Center. The following sanctions apply to a person found drinking alcohol beverages at the Center:

Disciplinary Action(s)

- Whatever local and state law require.
- First offense – banned from the Center for a day.
- Second offense – banned from the Center for three days.
- Third offense – banned from the Center for a week.
- Fourth offense – banned from the Center for two weeks. Also, the worker cannot return to the Center until he has submitted proof that he has enrolled in a program for rehabilitation of alcoholism.

For a person found guilty of selling an alcoholic beverage in the Center, the following sanctions apply:

Disciplinary Action(s)

- Whatever local and state law require.
- First offense – confiscation and disposal of the alcoholic beverage and banishment from the Center for three days.
- Second offense – confiscation and disposal of the alcoholic beverage and banishment from the Center for a week.
- Third offense – confiscation and disposal of the alcoholic beverage and a court order banning the person from the Center.

10. **Smelling of an Alcoholic Beverage.** Workers should not arrive at the Center smelling of an alcoholic beverage. Any person with alcohol on his breath will not receive an offer of work through the employment distribution system.
11. **Alcoholic Beverages in the Area Around the Center.** Workers should not consume alcoholic beverages near the Center. Anyone found doing so will be reprimanded by the Governance Team, who will explain that such actions will negatively affect the image of the Center. Literature on centers for alcohol abuse rehabilitation will be provided.
12. **Alcoholic Beverages in the Work Place.** Workers should not drink alcoholic beverages in their place of work. If an employer offers a worker an alcoholic beverage in the work place, he should refuse it.

If a worker drinks an alcoholic beverage in the work place and the employer or several employers present at least three complaints related to alcohol consumption, the worker will have to provide community service to promote a good image for the Center.

Rules Related to Respect Among the Workers Themselves, and with Other Persons in the Center

13. Threats, fighting, or verbal abuse (words that are vulgar or discriminatory) will never be permitted against any other person (workers, employers, volunteers, etc.) while waiting for employment at the Center. In case of problems, affected persons should talk with the Center staff.

Disciplinary Action(s)

The sanction will depend on the gravity of the offense. A minor problem could result in a verbal warning only; more serious offenses could result in banishment for a day or more. Any person that, on repeated occasions, demonstrates that he cannot respect this rule, will receive a stronger sanction.

14. Workers are prohibited from approaching vehicles or potential employers who come to the Center. Workers must always wait near the area of the shelter.

Disciplinary Action(s)

- First offense – verbal admonition.
- Second offense – banned from the Center for one day.
- Three or more offenses – banned from the Center for a week.

15. Workers will respect the established minimum wage, which for a general worker is \$10.00 per hour.

Disciplinary Action(s)

- First offense – verbal admonition.
- Two offenses – banned from the Center for a day.

16. Workers who use false names will be banned from the Center.
17. Workers will follow the instructions of anyone in a position of authority (staff, authorized volunteer, site managers, members of the Governance Team, etc.).
18. Theft is a serious crime that will be reported to the police and will result in the banishment from the Center for an indefinite period of time for all guilty persons.
19. Workers will be honest about their abilities and provide accurate information with regard to the kinds of work they can do. Anyone who lies or exaggerates about his abilities will be eliminated from that line of work in the employment distribution system until he can prove his abilities.
20. The Center has designated areas for smokers. It is prohibited to smoke outside of these areas.

Disciplinary Action(s)

- Verbal admonition.

21. Any type of sexual harassment is prohibited.

Disciplinary Action(s)

- First offense – verbal admonition. The Center's personnel, or anyone in a position of authority will do everything possible to have the victim and perpetrator meet in order to reconcile the issue.
- Second offense – banned from the Center for one or more days.
- Serious cases – whatever local and state laws require.

22. Workers must be clean and ready to work when they use the services of the Center. Clothing with obscene or discriminatory messages or gang symbols is not allowed.

Rules Related to the Activities of the Workers While They Wait for Work.

23. Workers must wait for work outside of the office unless they have been authorized to wait inside (in order to participate in a class or meeting with staff).

Disciplinary Action(s)

- First offense – verbal admonition.
- Second offense – required service in the Center (cleanup, landscaping, other duties).

24. Amplified music is not permitted at the Center.

Disciplinary Action(s)

- Verbal admonition.

25. Gambling is not permitted at the Center.

Disciplinary Action(s)

- First offense – verbal admonition.
- Second offense – banned from the Center for one day.

Rules Related to the Care of the Center.

26. It is prohibited to leave trash (especially coffee cups) outside of the trash cans. Cigarette butts should be placed in the trash receptacle especially for them.

Disciplinary Action(s)

- First offense – verbal admonition.
- Two or more offenses – required service in the Center (cleanup, landscaping, other duties).

27. The public bathrooms are not to be abused or subjected to vandalism. Do not write on the walls. Report any type of vandalism.

Disciplinary Action(s)

Guilty parties will be required to repair the damage, or pay for the repair, and will be banned from the Center until the repair is complete. Violators will be banned from the Center for a minimum of one day.

28. Workers will not lie or sleep on the grass.

Disciplinary Action(s)

- First offense – verbal admonition.
- Second offense – required service in the Center (cleanup, landscaping, other duties).
- Third offense – banned from the Center for one week.

29. It is prohibited to leave personal items at the Center. These items will be held in Lost and Found for a period of 15 days; if not claimed during that period, they will be given away or thrown out.

Rule on Rehabilitation

30. A worker would be able to reuse the Center after being rehabilitated. An addiction program certificate or recommendation by proper authorities is necessary to regain access to the Center.

I, _____, have read and understand this Code of Conduct and promise to follow the rules.

Signature: _____ Date: _____

CASA de Maryland, Inc,
Employment Center Rules and Regulations

1. You must have your ID with you at all times when you use the facility. If you do not have your ID with you, you will not be provided with services. Please notify CASA personnel if you lost your ID or your address and telephone number has changed.
2. If you are at CASA looking for a job, you need to sign the information/assistance sheet in order to participate in the raffle. You only are to accept work assigned from CASA personnel staff.
3. You are only to wait for work inside the CASA building. Do not solicit work outside any areas near the center of the building.
4. If you do accept a job from CASA, you need to fulfill your agreement. If the job is not completed, you must inform CASA personnel of the reason why the job was not completed.
5. **Respect the rights of others, avoid and prevent sexist or abusive comments. Sexual harassment of staff or other laborers is prohibited. The use of offensive language is also not permitted.**
6. There will be no fights or threats tolerated to personnel members or laborers.
7. Telephone use is for administrative staff only.
8. The center is to be kept free of obstruction and activities, such as car repairs or sleeping, are not permitted.
9. CASA is a crime-free zone. This includes the possession of firearms or munitions and bet fights. The use or sale of alcohol or drugs is not permitted.
10. Do not bring trash to the facility such as construction materials. Deposit all trash in the trash containers that are in the center.
11. There is to be no parking in front of the center.
12. Do not destroy CASA's property.
13. If for any reason you are not permitted in the building, do not return until you are asked to do so.
14. **Do not speak to the media against CASA or create antagonist surroundings between the community and CASA.**
15. The center is open for use during the business hours of 5:30 a.m. to 6 p.m. Summer hours are 6 a.m. to 6 p.m. In the winter, after 2 p.m., laborers who prefer to remain at the center are to wait in the work area of the center. The center is closed on Sundays.

VERY IMPORTANT RULES

- No sexual harassment, this includes both physical and psychological.
- No inappropriate use of the center.
- Do not communicate with the media against CASA or create an antagonistic atmosphere between the community and CASA.
- The person who sells, consumes or comes to the center under the influence of alcohol or drugs will be expelled immediately and only permitted to reenter under three circumstances.
 - If the police are not involved in your expulsion.
 - If you are participating in an alcohol and drug treatment program.
 - If the Revision and Complaints Committee recommends incorporation.

Attachments to Option B Research Report

HERNDON ORDINANCES

Temporary assembly site for day workers means a place where workers or potential workers assemble to seek or accept casual, intermittent, or temporary work off-site; where employers, or potential employers, visit to hire or to seek to hire workers for such work; and as to which the zoning approval is limited in duration. The temporary assembly site for day workers may be referred to as "the site."

Sec. 78-107. Temporary assembly site for day workers. Temporary assembly site for day workers. This use may be permitted initially for not more than two years after the date of town council approval, with up to three one-year extensions granted by town council possible. No further extensions will be granted for such use on same site. No more than one temporary assembly site, whether formal or informal, sanctioned or not, shall be permitted in the town. Approval for a temporary site shall be void upon the town council's approval and upon the activation of a permanent day worker assembly site. A temporary assembly site for day workers must conform to all of the following conditions, in addition to any specifically imposed conditions.

- (1) Shelter from the elements, potable water and toilets for the workers may be provided. Temporary, modular, or manufactured units may be permitted. There must be approval of the board of architectural review of all architectural features of all buildings or structures prior to installation on the site.
- (2) A gravel, concrete, asphalt milling, or asphalt surface shall be required for all vehicular and pedestrian circulation areas. The surface materials shall be as specified by the town council.
- (3) Approval of a site plan prior to the applicant's making site improvements.
- (4) The maximum number of workers to be present on the site at any one time shall be set forth in the conditional use permit application. The number of parking spaces and bicycle racks, the vehicular circulation system, and the size of the facilities shall accommodate this maximum number.
- (5) Sufficient staff shall be provided to control activities during operation of the site.
- (6) Screening shall be provided on any side of the site adjacent to any property zoned or used for residential purposes.
- (7) No more than one mobile commercial food vendor shall operate at or on the site at any one time. This vendor may be present at the site only during operating hours of the site.
- (8) The area of operation on the site shall be defined in the conditional use permit application, and the operations shall be confined to the defined area.
- (9) Written operating procedures governing the site shall be submitted as part of the conditional use permit application and made a part of the conditions of this conditional use permit. Among other operating procedures the hours of operation of the site shall be set forth.
- (10) The site, and any buildings or structures on the site shall be maintained in good order, free from litter or trash, and in a presentable, well maintained and safe manner, as determined by the zoning administrator using recognized standards.

(11) All activities conducted on the site shall be carried out in a lawful manner, as determined by competent town, Virginia, or federal authorities. Nothing in this subparagraph shall be construed to suggest or require that the zoning administrator enforce any set of laws other than the town's zoning ordinance.

(12) No lot or parcel on which is located the site shall be less than one acre in size. The site may occupy all or part of the lot or parcel.

(Ord. No. 03-O-28, § 2, 9-23-2003)

Secs. 78-108--78-120. Reserved.

GAITHERSBURG ORDINANCES

Sec. 24-1.1. Rules of interpretation, definitions and substantive provisions.

Whenever in this chapter 24 the terms "dwelling, multiple-family," "multi-family dwellings," "multiple-family dwellings," "multiple-family apartments," "multi-family housing units," "multi-family residential units," "multi-family residential structures" or "multi-family" appears those terms shall mean either "dwelling, multiple family, condominium" or "dwelling, multiple family" as defined in section 24-1 of this chapter, except where in any master plan, special condition contained in a master plan or in a condition of approval in any zoning, subdivision, site plan or other regulatory review or application for the same, a use is specifically designated, indicated or specified to be either a "dwelling, multi-family, condominium" or "dwelling, multi-family," then the meaning and application to said use shall be restricted as written or stated.

In this chapter, words in the present tense include the future; the singular number includes the plural number and the plural the singular; and the words "shall" or "must" are mandatory and not optional.

(Ord. No. O-13-02, 11-4-02)

Sec. 24-2. Provisions of chapter declared minimum requirements.

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

(Ord. No. O-2-65, art. 6, § 2)

Sec. 24-3. Zoning map--Adoption; identification.

The incorporated area of the city is hereby divided into zones, as shown on the official zoning map and sections thereof, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter.

The official zoning map shall be identified by the signature of the mayor and the members of the city council, attested by the city manager and bearing the seal of the city under the following words: "This is to certify that this is the Official Zoning Map referred to in Article 1, section 1 of Ordinance Number O-2-65 of the City of Gaithersburg, Maryland," together with the date of adoption of this chapter.

(Ord. No. O-2-65, art. 1, § 1)

Editor's note: The zoning map of the city is not set out in this volume. It is on file in the office of the city manager.

Sec. 24-4. Same--Amendments.

If, in accordance with the provisions of this chapter and Article 66B, Title 2, Annotated Code of Maryland, 1957, changes are made in district boundaries or other matter

portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the city council, together with an entry on the official zoning map as follows: "On (date), by official action of the city council, the following change was made in the official zoning map: (brief description of nature of change)," which entry shall be signed by the mayor and the members of the city council and attested by the city manager. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered upon the official zoning map. No amendment to this chapter which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on such map.

No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedure set forth in this chapter. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this chapter.

(Ord. No. O-2-65, art. 1, § 1)

Sec. 24-5. Same--Official copy.

Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the city manager's office shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the city. A copy of the map shall be located in the office of the planning department.

(Ord. No. O-2-65, art. 1, § 1)

Sec. 24-6. Same--Replacement.

In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the city council may by resolution adopt a new official map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. The planning commission shall certify as to the accuracy of the new official zoning map prior to its adoption by the city council. The new official zoning map shall be identified by the signature of the mayor and the members of the city council, attested by the city manager and bear seal of the city under the following words: "This is to certify that this official zoning map supersedes and replaces the official zoning map adopted (date of adoption of map being replaced) as part of Ordinance No. O-2-65 of the City of Gaithersburg, Maryland."

(Ord. No. O-2-65, art. 1, § 1)

Sec. 24-7. Same--Rules of interpretation of zone boundaries.

Where uncertainty exists as to the boundaries of zones as shown on the official zoning map, the following rules shall apply:

(a) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.

- (b) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - (c) Boundaries indicated as approximately following city or county limits shall be construed as following city or county limits.
 - (d) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 - (e) Boundaries indicated as approximately following the centerlines of streams, lakes or other bodies of water shall be construed to follow such centerlines.
 - (f) Boundaries indicated as parallel to or extensions of features indicated in subsections (a) through (e) of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
 - (g) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (a) through (f) of this section, the planning commission shall interpret the zone boundaries.
- (Ord. No. O-2-65, art. 1, § 2)

Sec. 24-8. Applicability of zone regulations.

The regulations set by this chapter within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly except as hereinafter provided:

- (a) No building, structure or land shall be used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered internally or externally, unless in conformity with all the regulations herein specified for the zone in which it is located.
- (b) No building or other structure shall hereafter be erected or altered:
 - (1) To exceed the height;
 - (2) To accommodate or house a greater number of families;
 - (3) To occupy a greater percentage of lot area;
 - (4) To have narrower or smaller rear yards, front yards, side yards or other open spaces; than herein required; or in any other manner contrary to the provisions of this chapter.
- (c) No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this chapter, shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.
- (d) No yard or lot existing on March 22, 1965, shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after March 22, 1965, shall meet at least the minimum requirements established by this chapter.

(Ord. No. O-2-65, art. 1, § 3)

Sec. 24-8A. Applicability of special conditions.

The city council and the city board of appeals as applicable, may approve a local map amendment, sketch plan, schematic development plan, concept plan (CD Zone), optional method application, special exception or amendment thereto for properties specifically identified in a master plan or amendment thereto having special conditions or requirements for the development and use thereof or special conditions or requirements

as to availability of public facilities only upon a finding that said local map amendment, sketch plan, schematic development plan, concept plan (CD Zone), optional method application, special exception or amendments thereto is consistent with the conditions and requirements specified in the master plan or amendment regarding said property.

The special conditions and requirements for the development and use of these properties or public facilities requirements applicable thereto shall be imposed and set forth in the master plan or amendment thereto only after notice to the property owner and general public and a public hearing thereon as part of the master plan process. All such application and plan approvals shall be subject to enforcement procedures and requirements applicable to violations of this chapter 24 as established by this Code.

The provisions of this section shall apply only to master plans and amendments thereto adopted after December 24, 1984.

(Ord. No. O-1-04, 1-5-04)

Sec. 24-9. Zoning of annexed areas.

Zoning for any area annexed to the city shall be established by a resolution simultaneously with the adoption of the annexation resolution required by the Annotated Code of Maryland, 1957, Article 23A, section 19. The city council shall hear zoning recommendations for the subject area during the required hearing for annexation: The city planning commission shall submit its written recommendation to the city council at least fifteen (15) days prior to the hearing.

(Ord. No. O-2-65, art. 1, § 5; Ord. No. O-4-65, § 1)

Charter references: Zoning of annexed areas, § 21(h-1).

Sec. 24-10. Conditional use permits.

(a) *Nature and purpose.* Conditional uses are those uses designated as permitted in specified zones in this chapter, but because of their nature, activities and potential effects, require additional regulations and specific approval, with or without conditions, by the city council by the issuance of a special permit prior to their establishment.

(b) *Required.* No building, other structure or land shall be used, nor shall any building or structure be constructed or converted, wholly or in part, nor off-street parking or access change made, to any use designated within any zoning district in the city as a conditional use until plans and specifications for such conditional use are approved by the issuance of a conditional use permit by the city council, as provided herein. No building permit or occupancy permit shall be issued until a use permit, if required, has been issued.

(c) *Application procedure.*

(1) Use permit applications shall be filed with the city council on forms provided by the city, and with documents, plans and other information that may be required by the city council or its designee. The application shall be accompanied by such fee as is determined by resolution of the city council.

(2) Use permit applications shall be subject to public hearing before the city planning commission and city council, and shall require the same notification procedures as those applicable to local map amendment applications, as set forth in Article VIII of this chapter. The city planning commission shall provide its recommendations to the city council, which shall become part of the evidence of record.

(3) Use permit applications may be filed and considered separately or together with a local map amendment application.

(4) Approval of a conditional use permit shall constitute concept approval of a site development plan, and shall be followed by preliminary and final plan reviews by the city planning commission.

(d) *Issuance, term, appeals, etc.*

(1) A use permit shall be issued if the city council finds, based upon the evidence of record, that the use and/or plan of development for such use will not:

a. Be incompatible or inharmonious with the general character of the neighborhood, considering the location, design, scale and bulk of any proposed new buildings or structures, or additions to existing buildings or structures, or conversion of existing buildings, intensity and character of activity, traffic, access and parking conditions, and number of similar uses.

b. Be detrimental to the use, peaceful enjoyment, economic value and development of surrounding properties.

c. Cause objectionable noise, vibrations, fumes, odors, dust, glare, chemical contamination, or physical activity.

d. Affect adversely the health or safety of persons residing, working or traveling in the neighborhood of the proposed use.

e. Constitute a violation of any provision of this Code or other applicable law or regulation.

(2) The city council may attach such conditions to the approval of the use permit as may be reasonable and necessary to assure that the proposed use will be consistent with the purpose, intent and requirements of this chapter.

(3) No deviation from the plans so approved shall be permitted without approval as provided in this section:

a. No substantial deviation from plans approved shall be permitted without the approval of a new use permit following the same procedure as in the case of an original application.

b. Any deviation not deemed substantial by the city manager or his designee may be considered and acted upon by the city manager or his designee, following submission of an application to amend the use permit.

c. Construction or operation shall commence within one year of date of issuance or the use permit shall become void. For good cause shown, no more than two (2) extensions, not exceeding six (6) months each, may be granted by the city manager or his designee.

d. Whenever the city council finds that any permit previously approved has not been complied with, the city council is authorized, after written notice by first class mail to the applicant, and any persons who appeared before the city council, or entered their appearance in writing prior to the approval of the use permit, and after granting the applicant an opportunity to be heard, to suspend or revoke the use permit or take such other action as deemed necessary.

(4) All decisions regarding the issuance, denial, suspension or revocation of a conditional use permit shall be by resolution of the city council. Any party aggrieved by a decision on a conditional use permit shall have the right of appeal, exercisable within thirty (30) days from the date of the decision, to the circuit court for Montgomery

County, and to the appellate courts of the state, in accordance with the Maryland Rules of Procedure governing administrative appeals.

(Res. No. R-11-68; Res. No. R-46-69; Ord. No. O-2-70; Ord. No. O-7-71; Ord. No. O-8-76, § 2; Ord. No. O-18-91, 12-16-91)

Sec. 24-10A. Floating zones.

(1) The following zoning districts are hereby designated and established as floating zones in the City of Gaithersburg:

Division 19. MXD Zone, Mixed Use Development

Division 21. CBD Zone, Central Business District

Division 22. CD Zone, Corridor Development

(2) The approval and placement of floating zones may only occur upon a finding by the city council that the application therefore:

(a) Complies with the purposes and intent of the zone as stated in the zoning ordinance; and

(b) As applied will be compatible and harmonious with existing and planned land uses in the surrounding area.

(3) All properties previously zoned in the MXD Zone, CBD Zone, and CD Zone prior to the effective date of this ordinance shall have been conclusively presumed to have satisfied the standards set forth in section 24-10A(2) for approval of floating zones.

(4) Floating zones may be affixed to property by local map amendment or by comprehensive zoning. In the case of comprehensive zoning, such zones may be affixed to property only where the location and placement of such zoning district has been recommended in a duly adopted master plan for the area in which the property is located. In addition, in the case of comprehensive zoning, such zones and their location and placement where recommended in a duly adopted master plan shall be conclusively presumed to have satisfied the standards set forth in section 24-10A(2).

(5) Notwithstanding the provisions of section 24-10A(3) and (4) above, any schematic development plan, concept plan (CD Zone) or site development plan shall only be approved upon satisfaction of the respective finding required for approval of such plans with or without conditions.

(Ord. No. O-2-04, 1-5-04)

MONTGOMERY COUNTY ORDINANCES

SEARCH TERM: LOITERING

Article I. Offenses.

- § [32-1](#). Abandoned, etc., personal property-Removal and disposition.
- § [32-2](#). Coal or coke-Definition of "person."
- § [32-3](#). Same-Weighing required, tickets; exception.
- § [32-4](#). Same-Penalty for violation of section 32-3.
- § [32-5](#). False reports to police; penalty.
- § [32-6](#). Food-Outdoor sale regulated.
- § [32-7](#). Fortunetelling.
- § [32-8](#). Handbills-Deposit in vehicles.
- § [32-9](#). Flammable liquids-Storing, parking tank vehicles, etc., on streets.
- § [32-10](#). Same-Supplying motor vehicles on streets, vacant lots, etc.
- § [32-11](#). Same-Penalty for violation of section 32-9, 32-10.
- § [32-12](#). Injury, etc., to public property; penalty.
- § [32-12A](#). Graffiti.
- § [32-13](#). **Loitering**-Definitions.
- § [32-14](#). Same-Prohibited conduct.
- § [32-15](#). Same-Identification.
- § [32-16](#). Same—Lawful assembly exempted.
- § [32-17](#). Same-Penalties.
- § [32-17A](#). Urination and Defecation in Public
- § [32-18](#). Obscene live conduct.

§ [32-19](#). Obscene, indecent or threatening language over telephone; penalty.

§ [32-19A](#). Harassment.

§ [32-19B](#). Aggressive panhandling.

§ [32-19C](#). Disruptive Behavior—Public Facilities

§ [32-20](#). Stalking.

§ [32-21](#). Police-Wearing of uniform by unauthorized person prohibited.

§ [32-22](#). Trailers-Connection with sewer system or septic tank required; exception; penalty.

§ [32-23](#). Picketing a private residence.

Article II. Victim Advocate Program.

§ [32-24](#). Program established.

§ [32-25](#). Services available.

§ [32-26](#). Duties of program administrator.

§ [32-27](#). Eligibility.

§ [32-28](#). Crime Victim Compensation.

§ [32-29](#). Penalty.

§ [32-30](#). Regulations.

Article I. Offenses.

§ [32-1](#). Abandoned, etc., personal property-Removal and disposition.

§ [32-2](#). Coal or coke-Definition of "person."

§ [32-3](#). Same-Weighing required, tickets; exception.

§ [32-4](#). Same-Penalty for violation of section 32-3.

§ [32-5](#). False reports to police; penalty.

§ [32-6](#). Food-Outdoor sale regulated.

- § [32-7](#). Fortunetelling.
- § [32-8](#). Handbills-Deposit in vehicles.
- § [32-9](#). Flammable liquids-Storing, parking tank vehicles, etc., on streets.
- § [32-10](#). Same-Supplying motor vehicles on streets, vacant lots, etc.
- § [32-11](#). Same-Penalty for violation of section 32-9, 32-10.
- § [32-12](#). Injury, etc., to public property; penalty.
- § [32-12A](#). Graffiti.
- § [32-13](#). **Loitering**-Definitions.
- § [32-14](#). Same-Prohibited conduct.
- § [32-15](#). Same-Identification.
- § [32-16](#). Same—Lawful assembly exempted.
- § [32-17](#). Same-Penalties.
- § [32-17A](#). Urination and Defecation in Public
- § [32-18](#). Obscene live conduct.
- § [32-19](#). Obscene, indecent or threatening language over telephone; penalty.
- § [32-19A](#). Harassment.
- § [32-19B](#). Aggressive panhandling.
- § [32-19C](#). Disruptive Behavior—Public Facilities
- § [32-20](#). Stalking.
- § [32-21](#). Police-Wearing of uniform by unauthorized person prohibited.
- § [32-22](#). Trailers-Connection with sewer system or septic tank required; exception; penalty.
- § [32-23](#). Picketing a private residence.

Article II. Victim Advocate Program.

§ [32-24](#). Program established.

§ [32-25](#). Services available.

§ [32-26](#). Duties of program administrator.

§ [32-27](#). Eligibility.

§ [32-28](#). Crime Victim Compensation.

§ [32-29](#). Penalty.

§ [32-30](#). Regulations.

2) Sec. 32-13. [Loitering](#)-Definitions.

For the purposes of sections 32-14 to 32-17, the following terms shall have the meanings respectively ascribed to them in this section:

Loiter: To stand around or remain or to park or remain parked in a motor vehicle at a public place or place open to the public and to engage in any conduct prohibited under this law. Loiter also means to collect, gather, congregate or to be a member of a group or a crowd of people who are gathered together in any public place or place open to the public and to engage in any conduct prohibited under this law.

Place open to the public: Any place open to the public or any place to which the public is invited and in, on or around any privately owned place of business, private parking lot or private institution, including places of worship, cemetery or any place of amusement and entertainment whether or not a charge of admission or entry thereto is made. It includes the elevator, lobby, halls, corridors and areas open to the public of any store, office or apartment building.

Public place: Any public street, road, or highway, alley, lane, sidewalk, crosswalk or other public way, or any public resort, place of amusement, park, playground, public building or grounds appurtenant thereto, school building or school grounds, public parking lot or any vacant lot. (1968 L.M.C., Ex. Sess. ch. 17, § 1.)

3) Sec. 32-14. Same-Prohibited conduct.

(a) It shall be unlawful for any person to loiter at, on or in a public place or place open to the public in such manner:

(1) To interfere, impede or hinder the free passage of pedestrian or vehicular traffic.

(2) To interfere with, obstruct, harass, curse or threaten or to do physical harm to another member or members of the public.

(3) That by words, acts or other conduct it is clear that there is a reasonable likelihood a breach of the peace or disorderly conduct shall result.

(b) It shall be unlawful for any person to loiter at a public place or place open to the public and to fail to obey the direction of a uniformed police officer or the direction of a properly identified police officer not in uniform to move on, when not to obey such direction shall endanger the public peace. (1968 L.M.C., Ex. Sess., ch. 17, § 1.)

4) Sec. 32-15. Same-Identification.

It shall be unlawful for any person at a public place or place open to the public to refuse to identify himself by name and address at the request of a uniformed police officer or of a properly identified police officer not in uniform, if the surrounding circumstances are such as to indicate to a reasonable man that the public safety requires such identification. (1968 L.M.C., Ex. Sess., ch. 17, § 1.)

5) Sec. 32-16. Same—Lawful assembly exempted.

Nothing in this article, except section 32-23, prohibits orderly picketing or other lawful assembly. (1968 L.M.C., Ex. Sess., ch. 17, § 1; 1993 L.M.C., ch. 36, § 1.)

6) Sec. 32-17. Same—Penalties.

Any person violating any of the provisions herein shall be subject to punishment for a class B violation as set forth in section 1-19 of chapter 1 of the County Code.

No person shall be charged with a violation of sections 32-13 to 32-16 unless and until the arresting officer has first warned the person of the violation and such person has failed or refused to stop such violation. (1968 L.M.C., Ex. Sess., ch. 17, § 1; 1983 L.M.C., ch. 22, § 41.)

7) Sec. 32-17A. Urination and Defecation in Public.

(a) In this section the words “public place” and “place open to the public” have the meanings stated in Section 32-13.

(b) Except as provided in subsection (c), a person must not urinate or defecate, whether or not the act is actually viewed by another person, in:

- (1) a public place;
- (2) a place open to the public; or

(3) any other place where the person may be seen from a public place or place open to the public.

(c) This Section does not prohibit a person from using an enclosed public restroom or other similar facility that is clearly designated for use as a bathroom, toilet, or lavatory.

(d) A person who violates this Section has committed a Class A violation. ([2005 L.M.C., ch. 21](#), §1.)

8) Sec. 32-18. Obscene live conduct.

Any individual, partnership, firm, association, corporation or other legal entity who knowingly produces, sponsors, manages, directs, presents, or engages in, performs, or participates in any live obscene conduct, in any public place or in a place exposed to public view, or in any place open to the public or to a segment thereof, in the presence of any other person or persons who have paid a consideration of any type whatsoever, or presented a membership card or other token, to observe the conduct; and any owner, lessee or manager of any premises who knowingly permits the same to be used for any of the activities described above shall be subject to punishment for a class A violation as set forth in section 1-19 of chapter 1 of the County Code. Each day a violation continues to exist shall constitute a separate offense.

For the purpose of this section, "obscene live conduct" shall be defined as live conduct, the dominant theme of which, when taken as a whole:

(a) Appeals to the prurient interest in sex; (b) is so patently offensive that it affronts contemporary community standards relating to the representation of sexual matters; and (c) lacks serious literary, artistic, political or scientific value. (1981 L.M.C., ch. 46, § 1; 1983 L.M.C., ch. 22, § 41.)

9) Sec. 32-19. Obscene, indecent or threatening language over telephone; penalty.

If any person shall use obscene or indecent language or shall threaten any person with physical harm or shall make indecent proposals to any person by means of the telephone he shall be subject to punishment for a class A violation as set forth in section 1-19 of chapter 1 of the County Code. Each day a violation continues to exist shall constitute a separate offense. This section shall apply with respect to any telephone communication either originating or received in the county, or both. (Mont. Co. Code 1965, § 16-9; 1983 L.M.C., ch. 22, § 41.)

10) Sec. 32-19C. Disruptive Behavior—Public Facilities

(a) In this Section, the following terms have the following meanings unless the context clearly indicates otherwise:

(1) Reviewing authority means the Chief Administrative Officer or an Assistant Chief Administrative Officer. An enforcement agent must not serve as reviewing authority.

(2) Enforcement agent means:

(A) a Department Director;

(B) a police officer, deputy sheriff, or County security officer;

(C) an assistant director, division chief, service chief, or other person in charge of a facility, who is designated by a Department Director; or

(D) a designee of the Director of Community Use of Public Facilities.

(3) Public facility means any building, grounds, or transit vehicle owned, leased, or used by the County, the Revenue Authority, or the Director of Community Use of Public Facilities.

(b) A person must not:

(1) act in a manner that a reasonable person would find disrupts the normal functions being carried on at that public facility; or

(2) engage in conduct that is specifically prohibited by a notice conspicuously posted at that public facility. The type of conduct that may be prohibited by a conspicuously posted notice is conduct that is likely to disrupt others' use of the public facility, or conduct that poses a danger to the person engaging in the conduct or to others.

(c) A person must not refuse, after engaging in conduct prohibited by subsection (b) at a public facility, to accurately identify himself or herself when asked to do so by an enforcement agent.

(d) If a person engages in conduct prohibited by subsection (b), an enforcement agent may issue and personally deliver a written order to the person that:

(1) denies the recipient access to that public facility for a period not exceeding 90 days;

(2) prohibits the recipient, if a minor, from entering that public facility without being accompanied by a parent, custodian, or guardian;

(3) requires the recipient to receive prior written permission from the enforcement agent or another specified person designated by the Department Director before entering that public facility; or

(4) imposes any other reasonable condition intended to assure that normal functions carried on at that public facility are not unreasonably disrupted.

If the public facility is a transit vehicle, any order under this subsection may apply to some or all other transit vehicles.

(e) An order issued under subsection (d) must notify the recipient that he or she may meet with a reviewing authority to discuss any reasons why the recipient's access to the applicable public facility should not be restricted. The notice must specify the proposed place, date, and time of the meeting. The meeting must initially be scheduled to be held during the next business day after the order is delivered to the recipient. At the request of the recipient, the reviewing authority may reschedule the meeting at a later date. If a meeting is held, the reviewing authority may affirm, modify, suspend, or rescind the order.

(f) A person must not violate an order issued under subsection (d). A person who violates subsections (b) or (c) or an order issued under subsection (d) has committed a Class A violation.

(g) The Chief Administrative Officer must report to the Council not later than March 1 each year on the use of this Section during the previous calendar year, including the number of orders issued under subsection (d) by each department or office. ([2004 L.M.C., ch. 12](#), § 1.)

MONTGOMERY COUNTY

SEARCH TERM: Traffic

11) Sec. 31-8. Parking vehicles; impeding traffic, threatening public safety.

No vehicle shall be stopped, standing or parked upon any road, highway, alley or public parking facility of the county so as to impede the movement of traffic or constitute a threat to public safety. (1978 L.M.C., ch. 7, § 2.)

**** NOTE: No related ordinances were found under the following terms: solicitation, trespassing.**

Attachments to Option C Research Report

Attachment
Sample of Services provided by Membership
Organizations

The Family Services Agency, Inc.

BABY STEPS provides hospital-based health screenings for all mothers.

EARLY HEAD START, a federally funded child development program, serves low-income families with children from birth to three years and pregnant women who reside in upper Montgomery County. Services include fostering the development of infants and toddlers; teaching families child development fundamentals and effective parenting skills; conducting health assessments; and providing case management and employment/training referrals.

HEALTHY FAMILIES MONTGOMERY serves first time parents residing in Montgomery County with multiple challenges to ensure healthy childhood growth and development and enhanced family functioning. Families receive home visits, case management, health education, child development, and parent education and support groups.

THE FAMILY WORKS operates Maryland's Parent Information and Resources Center, the state Parents As Teachers office, the Parent Leadership Institute, and an annual statewide conference to help families become involved in their children's education.

PARTNERS IN CARING is an enriched childcare program that provides integrated educational, recreational, and therapeutic services for children. Childcare providers also can get assistance from mental health professionals in addressing behavioral and other developmental concerns with specific strategies for infants through school-age children.

FRAMEWORKS FOR FAMILIES provides home, group, and community based services to families identified by Child Welfare Services as being at low to moderate risk of child abuse and neglect.

ED BOHRER PARENT RESOURCE CENTER at Gaithersburg Elementary provides services for Gaithersburg families who need assistance in furthering the education of their children as well as helping themselves thrive. This is accomplished through information and referrals for programs available through the county as well as, offering parenting, ESOL, Spanish, and computer classes. Other services offered include: translation assistance; help accessing educational, medical, employment resources; translation of documents and services in conjunction with school information sent home to parents; participation in school-related parent conferences and Educational Management Team conferences when needed; and administration of Parent Homework Clubs.

LATINO CASE COORDINATOR connects primarily Spanish-speaking residents of the City of Gaithersburg to community resources through information and referrals

SUBSTANCE ABUSE PREVENTION AND EDUCATION provides workshops, in English and Spanish, to preschoolers and their parents that focus on improving parent and

child protective factors in the areas of communication, problem solving, self-esteem, and family skills.

Article II. PSYCHIATRIC REHABILITATION – MONTGOMERY STATION provides services to individuals with serious and persistent mental health illness and their families through Day, Residential, Outreach, and Vocational programs.

OUTPATIENT MENTAL HEALTH CLINIC provides outpatient counseling and medication assessment and monitoring services for children, adults, couples, and families by licensed mental health professionals.

Guide Youth Services

“Day laborer families that may be undocumented immigrants are eligible to receive all the services provided by us at GUIDE Youth Services.” Monica Martin, Program Director

The Program Bienestar Mental

“The Program Bienestar Mental aims to assist the Spanish speaking uninsured and immigrant population of the City of Gaithersburg and Montgomery County. It is a non-profit program.” Magda Sideregts Vetter

Montgomery County United Way of the National Capital Area

“To respond to your question: to my knowledge, the United Way does not impose any requirements on member organizations (who are deemed eligible to receive designations through the United Way) or grantee organizations (who directly receive funds) to prohibit them from using funds to help undocumented immigrants.” Rachel Glass, Campaign Director,

Identity, Inc

“Identity is a nonprofit youth-serving organization. We work with Latino youth and their families at a number of schools in Montgomery County. We currently provide youth development programs in ten middle and high schools. The schools we serve in the upcounty area include:

- 1) Gaithersburg Middle School
- 2) Forest Oak Middle School
- 3) Roberto Clemente Middle School
- 4) Montgomery Village Middle School
- 5) Gaithersburg High School
- 6) Seneca Valley High School
- 7) Watkins Mill High School
- 8) Magruder High School

Our after-school programs are conducted on-site at the schools for youth enrolled in those schools. Identity conducts evening sessions as well for the parents of the youth enrolled in our programs. Our after school programming consists of over 60 hours of interactive sessions as well as a 20 hour weekend retreat. The parent curriculum involves 16 hours of training sessions. Our program facilitators also assist youth and families in need of additional services with appropriate referrals and follow-up.

The City of Gaithersburg currently funds Identity to provide mental health services for Latino youth who are residents of the City of Gaithersburg and for their family members, if needed. The City also currently provides partial funding for our after-school program at Gaithersburg High School. Day laborers are certainly eligible to access our services if they come to us through their children who may be enrolled in our programs. Identity staff is bilingual (Spanish-English). In the 2005 – 2006 school year we expect to serve approximately 500 Latino county residents, youth and their family members, with this comprehensive youth/parent program.

MCPS does not discriminate against children based upon immigration status so Identity does serve undocumented youth and their family members through its after-school programs in the middle and high schools. Identity also does not discriminate against other clients based upon immigration status for any other services or assistance we might be able to provide. “Candace Kattar, Executive Director

Gaithersburg Community Soup Kitchen, Inc.

“Our services and meals are available to all who enter the door ...no questions asked as to legal status etc.” Mary E. Canapary, Director

Gaithersburg Community Soup Kitchen, Inc.
“The Lord’s Table”
201 South Frederick Avenue, Gaithersburg, Maryland 20877

Who Are We? We are a group of volunteers from the mid and up county communities who share a common concern for disadvantaged people, in cooperation with Montgomery County churches, synagogues, community service organizations, civic organizations and individuals. We are pledged to: feed the needy a hot nutritious free meal; offer referral service to the extent possible; work with public and private groups in the county to coordinate resources; and to promote county and state services to prevent hunger and homelessness.

SERVICE BEYOND MEALS

From October 1984 to December 2005, the volunteers of The Lord’s Table Soup Kitchen served over 475,000 meals to people in need. These included men, women and children, but soup kitchen guests have many other needs. In addition to providing food, the Lord’s Table serves as one of the main points of initial access to many other services for the mid and up county poor. Some of these services include the following:

Shelter: Ever since the soup kitchen opened, one of our chief tasks has been to help the homeless find shelter. We refer homeless people to the Montgomery County Crisis Center for assessment, and they are placed in a shelter appropriate for their particular problem. The Lord’s Table fully supports the shelter philosophy, which focuses on individual responsibility and motivation. It assesses the root causes of homelessness in each individual case. In this way clients address, with assistance and guidance, the conditions in their lives that made them homeless.

Food: People in need of groceries are referred to Manna, Share, the Help groups, and to other providers.

Health Care: Mobile Medical’s professional staff works directly with the people who need medical attention at the Lord’s Table. In cooperation with Diamond Drug Store, we fill some prescriptions in true emergency situations.

Mental Health: Two Mental Health Case Managers, (one is bilingual) from the Mental Health Association are available twice a week at the Soup Kitchen.

Financial Assistance: We do not provide direct financial assistance, but instead refer our guests to more appropriate agencies.

Clothing: We refer guests in need of clothing to several free clothes closets in the area.

Stepping Stones Shelter

“Stepping Stones Shelter serves homeless families. We do not have any requirements for legal status in order to access services. We also run a Housing Counseling program for the City of Gaithersburg. The only requirements are that the person/family must be a City resident and have low or extremely low income.” Tina McKendree

Manna Food Center

“Our clients are all referred to us from nonprofit organizations, faith-based organizations, employee assistance programs, schools, etc. We do not ask about anyone’s immigration status – we only care about feeding the hungry.” Amy G. Gabala, Executive Director

FACT SHEET

What we do.

What we do is simple and essential. Manna Food Center fights hunger in Montgomery County by collecting and distributing food to needy individuals and families. Manna provides a three-day supply of perishable and nonperishable food to each individual or family at one of seven distribution points in the County. Manna also distributes food to Montgomery County homeless shelters, soup kitchens, group homes, and low-income housing areas.

We serve nearly 20,000 families annually. Many of our clients come to us in crisis and require emergency food. Others find themselves consistently unable to put food on the table because of low-income jobs and the high cost of housing and health care. Clients are referred to Manna from three hundred different sources – churches, social service organizations, schools, etc.

It takes an income of \$60,000 to support a family of four in Montgomery County today, and more than a quarter of our residents do not earn enough to achieve self-sufficiency. Steep increases in the cost of basic necessities such as housing, groceries, gasoline, and health care have put tremendous pressure on poor families in Montgomery County. Manna has seen the impact of these unfortunate trends and is helping an increasing number of adults and children each year.

With your help, we make a difference. Since its founding in 1983, Manna has:

- distributed more than 24 million pounds of food at seven different sites across the county.
- served more than 1.7 million County residents, including 800,000 children and 400,000 elderly and/or disabled individuals.
- distributed millions of pounds of food to homeless shelters, soup kitchens, and group homes located in Montgomery County.
- provided food on a weekly basis to 20 low-income housing areas in the County.

Even Start Family Literacy Project at Gaithersburg Elementary School

“The Even Start Family Literacy Project at Gaithersburg Elementary School is a program for which many of the day laborers' families would be eligible. Our program serves low-income Hispanic families living in Gaithersburg who have children between the ages of birth and four. Most of our families have not completed their education in their home

countries and need to learn English. The only documents we ask for are some form of identification and proof of income. Most of our families are undocumented. We give preference to families living within the attendance area of Gaithersburg Elementary School, but do have some families living in other parts of Gaithersburg. They must provide their own transportation to our center, but we can give bus tokens. We provide ESOL classes and parenting education for the adults and an early childhood program for the children. Each family that we serve must have at least one adult, usually the mother, who participates in all the components of the program. We provide breakfast and lunch daily to participating family members. Everything is of no cost to the families. Our funding is from a federal grant in partnership with Montgomery County Public Schools and The City of Gaithersburg.

Because we are a federally funded grant program which is authorized in a section of the No Child Left Behind Act, we are mandated to accept only low-income families. The purpose of the program is to break the cycle of poverty and illiteracy by educating the neediest of the needy and helping their children be ready to start school. We ask for proof of income in order to assure that we are serving the truly needy. We will accept a letter from an employer if a person is paid only in cash, otherwise we usually ask for a pay stub. In the case of day laborers, who may have different employers, I'm sure we could work something out. We accept new families into the program if they have a child under the age of 4, however, they may remain in our program until the youngest child in the family is in third grade. School-age children would be receiving ESOL classes in school. The ESOL classes that our families attend are the ones offered at the Bohrer Parent Resource Center at Gaithersburg Elementary. They are actually provided by Montgomery College and are free to anyone in the community. The ESOL classes are two days a week, so the days that the parent is not in class, they participate in English tutoring and parenting education classes with our staff. Their children are cared for while they are in class in our Early Childhood Center. The ESOL classes are offered during the day and during the evening. There is usually a waiting list, but families in our program get preference. In addition to the services I mentioned, we also help our families access other community resources as needed. Our program currently has 3 slots available. We advertise our program mostly through networking with other service providers in the Gaithersburg Coalition and through word-of-mouth, although we have occasionally distributed flyers during recruitment drives. We do have a page on the school website. We have a fact sheet and referral sheet available for people who want more information. Everything we have is in English and Spanish and all of our staff are bilingual.”
Marianne Shoemaker, Coordinator

Mobile Medical Care, Inc.

“MobileMed provides comprehensive primary health care services for working poor, low-income, homeless, uninsured and underinsured individuals in Montgomery County. Eligibility is based on two factors: individuals must be uninsured; and individuals must be residents of Montgomery County. Our patient population includes both recent and

illegal immigrants. We have nineteen clinics located throughout the County, including a site in Gaithersburg (at Church of the Ascension). Our capacity at the Gaithersburg site has been diminished by about 30% due to recent cutbacks in funding by the City of Gaithersburg.” Linda Madden

Germantown Campus of Montgomery College

“Service Learning is a major component of the college's mission as a "learning college". It encourages students to focus on critical, reflective thinking as well as personal and civic responsibility. By combining traditional teaching methods with out-of-the-classroom activities that address local needs, students have the chance to develop their academic skills while fostering a commitment to their communities. I am responsible for assisting students, faculty and staff with the selection, maintenance and coordination of volunteer agencies. Though we are not an organization that can provide services designated for the population you mentioned. We provide dedicated, capable and responsible volunteers to nonprofits throughout Montgomery County.” Carmela Gomez

2006 Gaithersburg Coalition of Providers
Rev. 2/06

Adventist Health Care Wellness
Nancy Wallack
1801 Research Blvd., Ste 101
Rockville, MD 20850
301-315-3141
301-315-3135-FAX
nwallack@adventisthealthcare.com

Aging & Disability Services
Medicaid Home and Community Based
Services Waiver for Older Adults
Sue Nyden
401 Hungerford Drive, 2nd Fl.
Rockville, MD 20850
240-777-3037
240-777-3183 –FAX
sue.nyden@montgomerycountymd.gov
anne.perry@montgomerycountymd.gov

Aging & Disability Services
Carol Smith
401 Hungerford Drive, 3rd Floor
Rockville, MD 20850
240-777-1060
240-777-1495 –FAX
Carol.Smith@montgomerycountymd.gov

American Red Cross
2020 East West Highway
Silver Spring, MD 20910
Kumara Rama
301-628-0062
301-588-8140 – FAX

Gaithersburg Office
200 Girard Street, Suite 204
Gaithersburg, MD 20877
301-628-0041
301-948-6065 – FAX
Mary Miller
millerma@redcrossnca.org
Sue Woelfel
301-628-0091
woelfels@redcrossnca.org

Catholic Charities
11160 Viers Mill Road, Ste 700
Wheaton, MD 20902

301-942-1856 ext. 106
301-942-3924 –FAX

Charles Gilchrist Center for Cultural
Diversity
11319 Elkins Street
Wheaton, MD 20902
240-777-4940
240-777-4941 –FAX
Suzan Maher
suzan.maher@montgomerycountymd.gov
Sharon Knapik
Sharon.Knapik@montgomerycountymd.gov

Upcounty Facility
Located in the Upcounty Regional
Services Center
12900 Middlebrook Road
Germantown, MD 20874
Hours: M, W, F 9-2
240-777-6950

Child Center & Adult Services
16220 S. Frederick Ave., Ste 502
Gaithersburg, MD 20877
301-978-9750
301-978-9753 – FAX
Nancy Ebb
nebb@comcast.net
Magda Sideregts-Vetter
Mondays, 2 – 6 p.m.
Tuesdays, 10-6 p.m.
msv6537@aol.com
Alice Burton
papproject@verizon.net
Loreto Valdes
loretovaldes74@hotmail.com

Christian Life Center
Gwen Johnson
11800 Darnestown Road
Gaithersburg, MD 20878
301-926-3761
301-926-3859 –FAX
gwen.johnson@eds.com
clc@clceast.org

Church of the Redeemer

Jessica O'Shields
19425 Woodfield Road
Gaithersburg, MD 20879
301-926-0967
301-926-6925 –FAX
joshields@church-redeemer.org

City of Gaithersburg**Human Services**

31 S. Summit Ave.
Gaithersburg, MD 20877
301-258-6328 –FA
Maureen Herndon, Program Manager
301-258-6395 x 2
mherndon@gaithersburgmd.gov
Crystal Carr, Director
301-258-6395 x 5
ccarr@gaithersburgmd.gov
Shanthi Srinivasachar, Secretary
301-258-6395 x 3
ssrinivasachar@gaithersburgmd.gov

Wells/Robertson House

1 Wells Avenue
Gaithersburg, MD 20877
301-258-6390
301-258-6328 -FAX
Jimmy Frazier-Bey, Primary Counselor
jfrazierbey@gaithersburgmd.gov

Clothing Center – Interfaith

751 Twinbrook Parkway
Rockville, MD 20851
301-424-3796
301-424-2724 –FAX
Teresa Castro
tcastro@communityministrymc.org

Furniture Exchange

240-361-1736
301-977-0687 – FAX
furnitureexchange@communityministrymc.org
Chelsea Soneira
csoneira@communityministrymc.org
Andres Martinez,

Upcounty Interfaith Clothing Center

620 E. Diamond Avenue, Suite M
Gaithersburg, MD 20877
301-977-1267
301-977-0687 -FAX
amartinez@communityministrymc.org

Collab. Council for Children, Youth & Families

Carol Walsh
15400 Calhoun Drive, Suite 425
Rockville, MD 20855
301-610-0147
301-610-0148 – FAX
carol.walsh@collaborationcouncil.org
www.collaborationcouncil.org

Community Clinic, Inc.

17 E. North Summit Avenue
Gaithersburg, MD 20877
301-216-0880

Community Kids

620 East Diamond Avenue, Suite H
Gaithersburg, MD 20877
240-777-4388 – FAX
Karina Hartman
240-777-4389
karina.hartman@montgomerycountymd.gov
Marian Hallen
240-777-4387
marian.hallen@montgomerycountymd.gov
Victoria Morillo
victoria.morillo@montgomerycountymd.gov

Community Ministry of Montgomery County**Mentoring and Family Support Services**

114 West Montgomery Avenue
Rockville, MD 20850
Monica Barberis-Young
mbarberis-young@communityministrymc.org
301-315-1103
240-403-3238 – FAX

**Community Ministries of Rockville
Chase Partnership House**
114 West Montgomery Avenue
Rockville, MD 20850
Darrell Butler
301-738-7802
301-738-7017 –FAX
darrellbutlerd@cmrocks.org

**Conflict Resolution Center of
Montgomery County, Inc.**
2424 Reddie Drive, Suite #301
Silver Spring, MD 20902
301-942-7700
301-942-7970
Peter Meleney
CCIOfMC@aol.com

**Jewish Council for the Aging
Connect-A-Ride**
11820 Parklawn Drive, Ste. 200
Rockville, MD 20852
301-255-4207
301-231-9360 – FAX
Mary Cadden
mcadden@jcagw.org

**Senior Community Service
Employment Program**
4805 Edgemoor Lane
Bethesda, MD 20814
Harriet Shapiro
240-395-0919
240-395-0908 - FAX
hshapiro@jcagw.org

**Derwood Alliance International
Ministry**
PO Box 8093
Gaithersburg, MD 20898
301-963-9200
301-963-3541 -FAX
Kattly Casimir
katcas@juno.com
Ted Mueller
churchoffice@derwoodalliance.org

Derwood Bible Church
Scott Chopas, Pastor
16011 Chieftain Avenue
Derwood, MD 20855
301-948-5440
301-948-7841 -FAX
scott@derwoodbiblechurch.org

Dwelling Place
Elaine Shire
P.O. Box 635
Gaithersburg, MD 20884
301-948-1988
301-948-1825-FAX
eshire@dwellingplaceinc.org
Sebiila Odin x104
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Family Support Center

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